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JOURNAL

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OF THE

S E N A T E,

OF THE

S T A T E O F M I S S O U R I,

AT THE

FIRST SESSION OF THE THIRTEENTH

GENERAL ASSEMBLY,

BEGUN AND HELD AT THE CITY OF JEFFERSON,

ON MONDAY, THE EIGHTEENTH DAY OF NOVEMBER, IN THE YEAR OF OUR

LORD, ONE THOUSAND EIGHT HUNDRED AND FORTY-FOUR.

JEFFERSON CITY:

GUNN, HAMMOND & MAIN, PRINTERS.

1845.

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ARY OF CONGRESS,
1898.
OF WASHINGTON.

VIA AIR MAIL
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JOURNAL

OF THE SENATE OF THE STATE OF MISSOURI,

At the first session of the Thirteenth General Assembly, begun and held at the City of Jefferson, on Monday, the eighteenth day of November, in the year of our Lord, one thousand eight hundred and forty-four.

The President of the Senate being absent, the Senate was called to order by Robert E. Acock, President *pro tempore*, and Senator from the eighteenth Senatorial District.

On motion, the roll of the Senate was called, when the following Senators answered to their names.

Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harris, Harper, Hudspeth, Johnson, Jones, Lucas, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—32.

Absent, Mr. Massey—I.

The following Senators appeared, presented their credentials, were qualified and took their seats.

From the first senatorial district—Pines H. Shelton.

From the fifth senatorial district—Addison Reese.

From the tenth senatorial district—Jesse B. Thompson.

From the eleventh senatorial district—Owen Rawlins.

From the fifteenth senatorial district—William Calhoun.

From the sixteenth senatorial district—Hosea Powers.

From the twenty-first senatorial district—Jordan O'Bryan.

From the twenty-third senatorial district—Charles Jones.

From the twenty-fourth senatorial district—James H. Lucas.

From the twenty-sixth senatorial district—John Polk.

From the twenty-seventh senatorial district—Aaron Snyder.

There also appeared the following Senators, whose terms of service commenced with the last session of the Senate.

From the second senatorial district—Charles Harper.

From the third senatorial district—John C. Welborn.

From the fourth senatorial district—Joshua Gentry, and John I. Campbell.

From the sixth senatorial district—John Wolfskill.

From the seventh senatorial district—William Fort.

From the eighth senatorial district—Robert B. Ellis.

From the ninth senatorial district—Andrew Johnson and William R. Blythe.

From the twelfth senatorial district—Tyre Harris.

From the thirteenth senatorial district—Willis W. Snell.

From the fourteenth senatorial district—Lilburn W. Boggs.

From the eighteenth senatorial district—Robert E. Acock.

From the nineteenth senatorial district—John W. Hancock.

From the twentieth senatorial district—William Monroe.

From the twenty-second senatorial district—Ayles Hudspeth.

From the twenty-fourth senatorial district—Adam L. Mills and William C. Anderson.

From the twenty-fifth senatorial district—Clement Detchemendy.

From the twenty-eighth senatorial district—George H. Netherton.

From the twenty-ninth senatorial district—George W. Miller.

A quorum being present, at the request of the President *pro tempore*, James L. Minor, acted as Secretary pro tem.

On motion of Mr. Rawlins, it was

Resolved, That the Senate now proceed to the election of Secretary.

Nominations for Secretary of the Senate being in order,

Mr. Anderson nominated John H. Watson.

Mr. Johnson nominated Benjamin F. Hickman.

Mr. Hancock nominated Wm. Claude Jones.

On the first ballot there appeared

For Mr. Watson—Messrs. Anderson, Harper, Jones, Polk and Snyder—5.

For Mr. Hickman—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harris, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan and Snell—13.

For Mr. Jones—Messrs. Acock, Blythe, Detchemendy, Fort, Hancock, Hudspeth, Monroe, Powers, Rawlins, Reese, Shelton, Thompson, Welborn and Wolfskill—14.

Neither of the candidates having received a majority of the votes given, the Senate proceeded to a second ballot, when there appeared,

For Mr. ~~Watson~~—Messrs. Anderson, Harper, Jones and Snyder—4.

For Mr. Hickman—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harris, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan and Snell—13.

For Mr. Jones—Messrs. Acock, Blythe, Detchemendy, Fort, Hancock, Hudspeth, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Thompson, Welborn and Wolfskill—15.

Neither of the candidates having received a majority of the votes given, the Senate proceeded to a third ballot, when there appeared

For Mr. Watson—Mr. Lucas—1.

For Mr. Hickman—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Johnson, Jones, Miller, Mills, Netherton, O'Bryan and Snell.

For Mr. Jones—Messrs. Acock, Anderson, Blythe, Detchemendy, Fort, Hancock, Hudspeth, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—17.

Whereupon Wm. Claude Jones having received a majority of all the votes given, was declared duly elected Secretary of the Senate, was qualified, and entered upon the discharge of his duties.

On motion of Mr. Rawlins the Senate proceeded to the election of Assistant Secretary.

Nominations for the office of Assistant Secretary of the Senate being in order

Mr. Welborn nominated James S. Green.

Mr. Polk nominated J. D. Stevenson.

Mr. Johnson nominated Thompson Ward.

Mr. Blythe nominated E. D. Ewing.

On the first ballot there appeared

For Mr. Green—Messrs. Campbell, Detchemendy, Hancock, Hudspeth, Powers, Reese, Shelton, Snyder, Welborn and Wolfskill—10.

For Mr. Stevenson—Messrs. Jones, Polk and Rawlins—3.

For Mr. Ward—Messrs. Boggs, Gentry, Harris, Johnson, Lucas, O'Bryan and Thompson—7.

For Mr. Ewing—Messrs. Acock, Anderson, Blythe, Calhoun, Ellis, Fort, Harper, Miller, Mills, Monroe, Netherton and Snell—12.

Neither of the candidates having received a majority of the votes given, the Senate proceeded to a second ballot, when there appeared,

For Mr. Green—Messrs. Campbell, Detchemendy, Hancock, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—12.

For Mr. Stevenson—Mr. Jones—1.

For Mr. Ward—Messrs. Boggs, Gentry, Harris, Johnson, Lucas, O'Bryan, and Thompson—7.

For Mr. Ewing—Messrs. Acock, Anderson, Blythe, Calhoun, Ellis, Fort, Harper, Miller, Mills, Monroe, Netherton and Snell—12.

Neither candidate having received a majority of the votes given, the name of Mr. Stevenson being withdrawn, the Senate proceeded to a third ballot, when there appeared

For Mr. Green—Messrs. Campbell, Detchemendy, Hancock, Hudspeth, Jones, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—13.

For Mr. Ward—Messrs. Boggs, Gentry, Harris, Johnson, Lucas, O'Bryan and Thompson—7.

For Mr. Ewing—Messrs. Acock, Anderson, Blythe, Calhoun, Ellis, Fort, Harper, Miller, Mills, Monroe, Netherton and Snell—12.

Neither candidate having received a majority of the votes given, the name of Mr. Ward being withdrawn, the Senate proceeded to a fourth ballot, when there appeared,

For Mr. Green—Messrs. Campbell, Detchemendy, Gentry, Hancock, Harris, Hudspeth, Jones, Lucas, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—17.

For Mr. Ewing—Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Ellis, Fort, Harper, Johnson, Miller, Mills, Monroe, Netherton, O'Bryan and Snell—15.

Whereupon James S. Green, having received a majority of all the votes given, was declared duly elected Assistant Secretary of the Senate, was qualified and entered upon the discharge of his duties.

On motion of Mr. Polk, it was

Resolved, That the Senate proceed to the election of door keeper.

Nominations for the office of door keeper of the Senate, being in order,

Mr. Rawlins nominated Elzey Tracy.

Mr. Acock nominated Archibald E. Conn.

Mr. Wolfskill nominated Jeremiah Phillips.

Mr. Anderson nominated John W. Price.

Mr. Harris nominated D. McTewitty.

Mr. Johnson nominated William Woods.

Mr. Miller nominated M'Daniel Dorris.

Mr. Shelton nominated George Lynch.

Mr. Thompson nominated Joseph Persinger.

Mr. Powers nominated Markham Fristoe.

On the first ballot there appeared

For Mr. Tracy—Mr. Rawlins—1.

For Mr. Conn—Messrs. Acock, Hancock and Snyder—3.

For Mr. Phillips—Mr. Wolfskill—1.

For Mr. Price—Messrs. Anderson, Ellis, Fort and Reese—4.

For Mr. McTwitty—Mr. Harris—1.

For Mr. Woods—Messrs. Boggs, Campbell, Gentry, Johnson, Lucas, Mills, O'Bryan and Snell—8.

For Mr. Dorris—Messrs. Calhoun, Miller and Netherton—3.

For Mr. Lynch—Messrs. Detchemendy, Jones and Shelton—3.

For Mr. Persinger—Messrs. Thompson and Welborn—2.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Monroe, Polk and Powers—6.

Neither candidate, having received a majority of the votes given, the names of Mr. Phillips, and Mr. McTwitty being withdrawn, the Senate proceeded to a second ballot, when there appeared

For Mr. Tracy—Mr. Rawlins—1.

For Mr. Conn—Messrs. Acock, Hancock and Snyder—3.

For Mr. Price—Messrs. Anderson, Ellis, Fort and Reese—4.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan, Snell and Wolfskill—11.

For Mr. Dorris—Messrs. Miller and Netherton—2.

For Mr. Lynch—Messrs. Detchemendy, Jones and Shelton—3.

For Mr. Persinger—Messrs. Thompson and Welborn—2.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Monroe, Polk and Powers—6.

Neither candidate having received a majority of the votes given, the Senate proceeded to a third ballot,

When there appeared

For Mr. Tracy—Mr. Rawlins—1.

For Mr. Conn—Messrs. Acock, Hancock and Snyder—3.

For Mr. Price—Messrs. Anderson, Ellis, Fort and Reese—4.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan, Snell and Wolfskill—11.

For Mr. Dorris—Messrs. Miller and Netherton—2.

For Mr. Lynch—Messrs. Detchemendy, Jones and Shelton—3.

For Mr. Persinger—Mr. Thompson—1.

For Mr. Fristoe—Messrs. Blythe, Harper, Monroe, Polk, Powers and Welborn—7.

Neither candidate having received a majority of the votes given, the names of Mr. Tracy and Mr. Persinger being withdrawn, the Senate proceeded to a fourth ballot,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock and Snyder—3.

For Mr. Price—Messrs. Anderson, Ellis, Fort, Rawlins and Reese—5.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Harris, Johnson, Lucas, Mills, O'Bryan, Snell and Wolfskill—10.

For Mr. Dorris—Messrs. Miller and Netherton—2.

For Mr. Lynch—Messrs. Detchemendy, Jones and Shelton—3.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Monroe, Polk, Powers, Thompson and Welborn—8.

Neither candidate having received a majority of the votes given, the name of Mr. Lynch being withdrawn, the Senate proceeded to a fifth ballot,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock and Wolfskill—3.

For Mr. Price—Messrs. Anderson, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese and Shelton—8.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Dorris—Mr. Miller—1.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Jones, Monroe, Polk, Powers, Snyder, Thompson and Welborn—10.

Neither candidate having received a majority of all the votes given, the name of Mr. Dorris being withdrawn, the Senate proceeded to a sixth ballot, When there appeared

For Mr. Conn—Messrs. Acock, Hancock, Miller, Snyder and Wolfskill—5.

For Mr. Price—Messrs. Anderson, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese and Shelton—8.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Jones, Monroe, Polk, Powers, Thompson and Welborn—9.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot a seventh time,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock, Miller, Snyder, Thompson and Wolfskill—6.

For Mr. Price—Messrs. Anderson, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese, and Shelton—8.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Jones, Monroe, Polk, Powers and Welborn—8.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot the eighth time,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock, Miller, Snyder, Thompson and Wolfskill—6.

For Mr. Price—Messrs. Anderson, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese and Shelton—8.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Jones, Monroe, Polk, Powers and Welborn—8.

Neither candidate having received a majority of the votes given, the Senate proceeded to a ninth ballot,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock, Miller, Thompson, Wolfskill and Snyder—6.

For Mr. Price—Messrs. Anderson, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese, Shelton and Welborn—9.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Jones, Monroe, Polk and Powers—7.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot the tenth time,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock, Miller, Snyder, Thompson and Wolfskill—6.

For Mr. Price—Messrs. Anderson, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese, Shelton and Welborn—9.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Jones, Monroe, Polk and Powers—7.

Neither candidate having received a majority of the votes given, the Senate proceeded to the eleventh ballot,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock, Miller, Snyder, Thompson and Wolfskill—6.

For Mr. Price—Messrs. Anderson, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese, Shelton and Welborn—9.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Blythe, Harper, Hudspeth, Jones, Monroe, Polk and Powers—7.

Neither candidate having received a majority of the votes given, Mr. Polk moved that the Senate adjourn until two o'clock, which was determined in the negative.

The Senate then proceeded to ballot a twelfth time,

When there appeared

For Mr. Conn—Messrs. Acock, Hancock, Hudspeth, Snyder, Thompson and Wolfskill—6.

For Mr. Price—Messrs. Anderson, Blythe, Detchemendy, Ellis, Fort, Netherton, Rawlins, Reese, Shelton and Welborn—10.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Harper, Jones, Miller, Monroe, Polk and Powers—6.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot the thirteenth time,

When there appeared

For Mr. Conn—Messrs. Acock, Snyder, Thompson and Wolfkill—4.

For Mr. Price—Messrs. Anderson, Blythe, Detchemendy, Ellis, Fort, Hudspeth, Netherton, Rawlins, Reese, Shelton and Welborn—11.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Hancock, Harper, Jones, Miller, Monroe, Polk and Powers—7.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot the fourteenth time,

When there appeared,

For Mr. Conn—Messrs. Acock and Thompson—2.

For Mr. Price—Messrs. Anderson, Blythe, Ellis, Fort, Hudspeth, Netherton, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfkill—12.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Hancock, Harper, Jones, Miller, Monroe, Polk and Powers—7.

Neither candidate having received a majority of the votes given, the name of Mr. Conn being withdrawn the Senate proceeded to ballot the fifteenth time, When there appeared

For Mr. Price—Messrs. Anderson, Blythe, Ellis, Fort, Hudspeth, Netherton, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—12.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Acock, Hancock, Harper, Jones, Miller, Monroe, Polk, Powers and Thompson—9.

Neither candidate having received a majority of the votes given, the Senate proceeded to the sixteenth ballot,

When there appeared

For Mr. Price—Messrs. Anderson, Blythe, Detchemendy, Ellis, Fort, Hudspeth, Netherton, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—13.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Acock, Hancock, Harper, Jones, Miller, Monroe, Polk, Powers and Thompson—9.

Neither candidate having received a majority of the votes given, the Senate proceeded to a seventeenth ballot,

When there appeared

For Mr. Price—Messrs. Anderson, Blythe, Detchemendy, Ellis, Fort, Hudspeth, Netherton, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—13.

For Mr. Woods—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Johnson, Lucas, Mills, O'Bryan and Snell—10.

For Mr. Fristoe—Messrs. Acock, Hancock, Harper, Jones, Miller, Monroe, Polk, Powers and Thompson—9.

Neither candidate having received a majority of the votes given, the name of Mr. Woods being withdrawn, the Senate proceeded to ballot the eighteenth time,

When there appeared

For Mr. Price—Messrs. Anderson, Campbell, Detchemendy, Ellis, Fort, Gentry, Harris, Lucas, Mills, Netherton, Rawlins, Reese, Shelton, Snell, Snyder and Wolfskill—16.

For Mr. Fristoe—Messrs. Acock, Blythe, Boggs, Calhoun, Hancock, Harper, Hudspeth, Johnson, Jones, Miller, Monroe, O'Bryan, Polk, Powers, Thompson and Welborn—16.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot the nineteenth time,

When there appeared

For Mr. Price—Messrs. Anderson, Campbell, Detchemendy, Ellis, Fort, Gentry, Harris, Lucas, Mills, Netherton, Rawlins, Reese, Shelton, Snell, Snyder and Wolfskill—16.

For Mr. Fristoe—Messrs. Acock, Blythe, Boggs, Calhoun, Hancock, Harper, Hudspeth, Johnson, Jones, Miller, Monroe, O'Bryan, Polk, Powers, Thompson and Welborn—16.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot the twentieth time,

When there appeared

For Mr. Price—Messrs. Anderson, Campbell, Detchemendy, Ellis, Fort, Gen-

try, Harris, Lucas, Mills, Netherton, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill--17.

For Mr. Fristoe--Messrs. Acock, Blythe, Boggs, Calhoun, Hancock, Harper, Hudspeth, Johnson, Jones, Miller, Monroe, O'Bryan, Powers, Polk and Thompson--15.

Whereupon Mr. Price, having received a majority of all the votes given, was declared duly elected door keeper of the Senate, was qualified, and entered on the discharge of his duties.

On motion,

The Senate adjourned until half past two o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Benjamin F. Massey, the Senator from the seventeenth senatorial district, whose term of service commenced with the last session, appeared and took his seat.

On motion of Mr. Boggs, it was

Resolved, That the Senate proceed to the election of an engrossing clerk.

Nominations for the office of engrossing clerk, being in order,

Mr. Snyder nominated William C. Oliver.

Mr. Johnson nominated James C. Francis.

Mr. Rawlins nominated L. J. Eastin.

Mr. Powers nominated Harrison Gwinn.

Mr. Miller nominated Alexander P. Dorris.

On the first ballot, there appeared

For Mr. Oliver--Messrs. Anderson, Detchemendy, Ellis, Fort, Harper, Hudspeth, Jones, Lucas, Massey, Mills, O'Bryan, Polk, Reese, Shelton, Snyder and Welborn--16.

For Mr. Francis--Messrs. Acock, Boggs, Calhoun, Gentry, Hancock, Harris, Johnson and Snell--8.

For Mr. Eastin--Messrs. Campbell, Rawlins and Wolfskill--3.

For Mr. Gwinn--Messrs. Blythe, Powers and Thompson--3.

For Mr. Dorris--Messrs. Miller, Monroe and Netherton--3.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot a second time,

When there appeared

For Mr. Oliver--Messrs. Anderson, Cambell, Detchemendy, Ellis, Fort, Harper, Hudspeth, Jones, Lucas, Massey, Mills, O'Bryan, Polk, Reese, Shelton, Snyder and Welborn--17.

For Mr. Francis--Messrs. Acock, Blythe, Boggs, Calhoun, Gentry, Hancock, Harris, Johnson, Snell and Thompson--10.

For Mr. Eastin--Messrs. Rawlins and Wolfskill--2.

For Mr. Gwinn--Mr. Powers--1.

For Mr. Dorris--Messrs. Miller, Monroe and Netherton--3.

Whereupon, William C. Oliver having received a majority of all the votes given, was declared duly elected engrossing clerk of the Senate, was qualified, and entered on the discharge of his duties.

On motion of Mr. Rawlins,

Resolved, That the Senate proceed to the election of an enrolling clerk.

Nominations for the office of enrolling clerk of the Senate, being in order,

Mr. Hudspeth nominated James M. Buford.

Mr. Detchemendy nominated Frederick Flach.

Mr. Polk nominated James Lindsay.

Mr. Johnson nominated H. T. Fort.

Mr. Welborn nominated Robert Bronaugh.

Mr. Miller nominated John G. Walker.

On the first ballot, there appeared

For Mr. Buford—Messrs. Hudspeth, Jones, Shelton and Snell—4.

For Mr. Flach—Messrs. Detchemendy, Netherton and Snyder—3.

For Mr. Lindsay—Messrs. Lucas, Mills and Polk—3.

For Mr. Fort—Messrs. Anderson, Fort, Johnson, O'Bryan, Rawlins and Wolfskill—6.

For Mr. Bronaugh—Messrs. Campbell, Gentry, Hancock, Harper, Harris, Massey, Reese, Thompson and Welborn—9.

For Mr. Walker—Messrs. Acock, Blythe, Boggs, Calhoun, Ellis, Miller, Monroe and Powers—8.

Neither of the candidates having received a majority of the votes given, the Senate proceeded to ballot the second time,

When there appeared

For Mr. Buford—Messrs. Hudspeth, Jones and Snell—3.

For Mr. Flach—Messrs. Detchemendy, Netherton and Snyder—3.

For Mr. Lindsay—Messrs. Lucas, Mills and Polk—3.

For Mr. Fort—Messrs. Anderson, Fort, Johnson, O'Bryan, Rawlins and Wolfskill—6.

For Mr. Bronaugh—Messrs. Campbell, Gentry, Hancock, Harper, Harris, Massey, Reese, Shelton, Thompson and Welborn—10.

For Mr. Walker—Messrs. Acock, Blythe, Boggs, Calhoun, Ellis, Miller, Monroe and Powers—8.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot a third time,

When there appeared

For Mr. Buford—Messrs. Hudspeth, Jones and Snell—3.

For Mr. Flach—Messrs. Detchemendy, Netherton and Snyder—3.

For Mr. Lindsay—Mr. Polk—1.

For Mr. Fort—Messrs. Anderson, Fort, Johnson, O'Bryan, Rawlins and Wolfskill—6.

For Mr. Bronaugh—Messrs. Campbell, Gentry, Hancock, Harper, Harris, Lucas, Massey, Mills, Reese, Shelton, Thompson and Welborn—12.

For Mr. Walker—Messrs. Acock, Blythe, Boggs, Calhoun, Ellis, Miller, Monroe and Powers—8.

Neither candidate having received a majority of the votes given, the name of Mr. Lindsay being withdrawn, the Senate proceeded to ballot a fourth time,

When there appeared

For Mr. Buford—Messrs. Hudspeth, Jones, Polk and Snell—4.

For Mr. Flach—Messrs. Detchemendy, Netherton and Snyder—3.

For Mr. Fort—Messrs. Anderson, Fort, Johnson, O'Bryan, Rawlins and Wolfskill—6.

For Mr. Bronaugh—Messrs. Campbell, Gentry, Hancock, Harper, Harris, Lucas, Massey, Mills, Reese, Shelton, Thompson and Welborn—12.

For Mr. Walker—Messrs. Acock, Blythe, Boggs, Calhoun, Ellis, Miller, Monroe and Powers—8.

Neither candidate having received a majority of the votes given, the Senate proceeded to ballot a fifth time,

When there appeared

For Mr. Buford—Messrs. Hudspeth, Jones, Polk and Snell—4.

For Mr. Flach—Messrs. Detchemendy, Netherton and Snyder—3.

For Mr. Fort—Messrs. Anderson, Calhoun, Fort, Johnson, O'Bryan, Rawlins and Wolfskill—7.

For Mr. Bronaugh—Messrs. Campbell, Gentry, Hancock, Harper, Harris,

Lucas, Massey, Mills, Reese, Shelton, Thompson and Welborn--12.

For Mr. Walker--Messrs. Acock, Blythe, Boggs, Ellis, Miller, Monroe and Powers--7.

Neither candidate having received a majority of the votes given, the Senate proceeded to a sixth ballot,

When there appeared

For Mr. Buford--Messrs. Hudspeth, Jones, Polk and Snell--4.

For Mr. Flach--Messrs. Detchemendy, Netherton and Snyder--3.

For Mr. Fort--Messrs. Anderson, Fort, Johnson, O'Bryan, Rawlins and Wolfskill--6.

For Mr. Bronaugh--Messrs. Campbell, Gentry, Hancock, Harper, Harris, Lucas, Massey, Mills, Monroe, Powers, Reese, Shelton, Thompson and Welborn--14.

For Mr. Walker--Messrs. Acock, Blythe, Boggs, Calhoun, Ellis and Miller--6.

Neither of the candidates having received a majority of the votes given, the Senate proceeded to ballot the seventh time,

When there appeared

For Mr. Buford--Messrs. Hudspeth, Jones, Polk and Snell--4.

For Mr. Flach--Messrs. Boggs, Detchemendy, Ellis, Netherton and Snyder--5.

For Mr. Fort--Messrs. Anderson, Fort, Johnson, O'Bryan, Rawlins and Wolfskill--6.

For Mr. Bronaugh--Messrs. Campbell, Gentry, Hancock, Harper, Harris, Massey, Mills, Monroe, Powers, Reese, Shelton, Thompson and Welborn--13.

For Mr. Walker--Messrs. Acock, Blythe, Calhoun and Miller--4.

Absent, Mr. Lucas--1.

Neither candidate having received a majority of the votes given, the name of Mr. Fort being withdrawn, the Senate proceeded to ballot the eighth time

When there appeared

For Mr. Buford--Messrs. Hudspeth, Jones, Polk and Snell--4.

For Mr. Flach--Messrs. Boggs, Detchemendy, Ellis, Netherton and Snyder--5.

For Mr. Bronaugh--Messrs. Anderson, Campbell, Fort, Gentry, Hancock, Harper, Harris, Johnson, Massey, Mills, Monroe, Powers, Rawlins, Reese, Shelton, Thompson, Welborn and Wolfskill--18.

For Mr. Walker--Messrs. Acock, Blythe, Calhoun, Miller and O'Bryan--5.

Absent, Mr. Lucas--1.

Whereupon, Robert Bronaugh having received a majority of all the votes given, was declared duly elected enrolling clerk of the Senate, was qualified and entered on the discharge of his duties.

Mr. Hudspeth moved the Senate proceed to the election of a Sergeant at Arms, which was determined in the negative.

On motion,

The Senate adjourned until to-morrow morning, at ten o'clock.

TUESDAY MORNING, November 19th, 1844.

The Senate met pursuant to adjournment.

Mr. Rawlins offered the following resolution, which was adopted.

Resolved, That the House of Representatives be informed that the Senate has organized by electing William Claude Jones, Secretary; James S. Green, Assistant Secretary; William C. Oliver, Engrossing Clerk; Robert Bronaugh, Enrolling Clerk; and John W. Price, Door-keeper, and that they are now ready to proceed to business.

Mr. Welborn offered the following, which was adopted.

Resolved, That the Senate appoint a committee of two to join such committee as may be appointed by the House, to wait upon the Governor, and inform him that the two Houses have organized, and are now ready to receive any communication which he may be pleased to make.

Whereupon, the Chair appointed Messrs. Welborn and Gentry, the committee on the part of the Senate.

On motion of Mr. Jones,

Resolved, That the Secretary of the Senate furnish for the use of the Senate, thirty-five copies of the Revised Code of 1835, and an equal number of the acts of each subsequent session of the Legislature, and also, an equal number of the journals of the Senate of 1840 and 1841.

Mr. Polk submitted the following:

Resolved, That seats within the bar of the Senate be assigned to such reporters of newspapers as may desire the same.

Mr. Hulspeeth offered the following substitute:

Resolved, That reporters of newspapers be admitted within the bar of the Senate, under the direction of the President.

Which was accepted and adopted.

Mr. Jones submitted the following, which was adopted.

Resolved, That the hours of meeting of the Senate during the present session, unless otherwise ordered, shall be ten o'clock in the forenoon, and two o'clock in the afternoon.

On motion,

The Senate adjourned until two o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President presented a communication from the Secretary of State, which

On motion of Mr. Monroe, the reading being dispensed with, was laid on the table.

Mr. Monroe offered the following:

Resolved, That the Senate now proceed to the election of a Sergeant at Arms.

Mr. Massey moved to lay the resolution on the table, which motion was on leave of the Senate, withdrawn.

On motion of Mr. Monroe, a call of the House was ordered.

When, the roll being called, the number of Senators answering to their names was 32.

Absent; Mr. Detchemendy--1.

The question was then taken on the adoption of the resolution, and determined in the affirmative.

Message from the House of Representatives by Mr. Huston, Assistant Clerk,

Mr. President, I am instructed to inform the Senate that the following resolution has passed the House of Representatives:

Resolved, That the Senate be informed that the House of Representatives has assembled, and elected C. F. Jackson; Speaker; William Gilpin, Chief Clerk; George W. Huston, Assistant Clerk; Sol. J. Lowe, Engrossing Clerk; Wm. B.

Baskett, Enrolling Clerk; Richard B. Jackson, Door-keeper; Richard Brannan, Sergeant at Arms, for the present session; and that it is now organized, and ready to proceed to business.

Also the following resolution.

Resolved, That a committee of three members be appointed on the part of the House, to join the committee on the part of the Senate, to inform the Governor that the two Houses of the General Assembly have organized, and are now ready to receive any communication which he may think proper to make, and that

Messrs. Bay, Brown and Richmond, were appointed said committee.

Mr. Welborn, from the joint committee appointed to wait upon the Governor, made the following report:

That they had performed the duty assigned them, and received for answer, that the Governor would make a communication in writing, this evening at 3 o'clock.

The President announced that nominations for the office of Sergeant at Arms of the Senate, were in order.

Mr. Monroe nominated Hiram R. Phillips.

Mr. Hudspeth nominated Cyrus Frost.

Mr. Reese nominated John McAfee.

Mr. Powers nominated A. G. Brannan.

Mr. Miller nominated Clifton Lundy.

Mr. Miller also, nominated Benjamin Ferguson.

On the first ballot there appeared.

For Mr. Phillips—Messrs. Hancock, Massey, Monroe, Thompson and Wolfskill—5.

For Mr. Frost—Messrs. Blythe, Boggs, Detchemendy, Hudspeth, Jones, Netherton, Polk and Snyder—8.

For Mr. Richardson—Mr. Harris—1.

For Mr. McAfee—Messrs. Anderson, Campbell, Ellis, Fort, Gentry, Harper, Johnson, Lucas, Mills, Reese, Shelton, Snell and Welborn—13.

For Mr. Brannan—Messrs. Acock, Powers, and Rawlins—3.

For Mr. Lundy—Mr. Miller—1.

For Mr. Ferguson—Mr. O'Bryan—1.

Absent, Mr. Calhoun.

Neither candidate having received a majority, the Senate proceeded to a second ballot,

When there appeared

For Mr. Phillips—Messrs. Hancock, Monroe and Thompson—3.

For Mr. Frost—Messrs. Blythe, Boggs, Detchemendy, Hudspeth, Jones, Netherton, Polk and Snyder—8.

For Mr. McAfee—Messrs. Anderson, Campbell, Ellis, Fort, Gentry, Harper, Harris, Johnson, Lucas, Mills, Reese, Shelton, Snell and Welborn—14.

For Mr. Brannan—Messrs. Acock and Powers—2.

For Mr. Ferguson—Messrs. Massey, Miller, O'Bryan, Rawlins and Wolfskill—5.

Neither candidate having received a majority, the name of Mr. Phillips being withdrawn, the Senate proceeded to ballot a third time,

When there appeared

For Mr. Frost—Messrs. Blythe, Boggs, Hancock, Hudspeth, Jones, Netherton, Polk and Snyder—9.

For Mr. McAfee—Messrs. Anderson, Campbell, Ellis, Fort, Gentry, Harper, Harris, Johnson, Lucas, Mills, Monroe, Reese, Shelton, Snell, Thompson and Welborn—16.

For Mr. Brannan—Mr. Powers—1.

For Mr. Ferguson--Messrs. Acock, Massey, Miller, O'Bryan, Rawlins and Wollskill--6.

Absent, Mr. Calhoun--1.

Neither candidate having received a majority of the votes given, the names of Mr. Ferguson, Mr. Lundy and Mr. Brannan being withdrawn, the Senate proceeded to ballot the fourth time;

When there appeared,

For Mr. Frost--Messrs. Blythe, Detchemendy, Hancock, Hudspeth, Jones, Massey, Miller, Netherton, Polk and Snyder--10.

For Mr. McAfee--Messrs. Acock, Anderson, Boggs, Campbell, Ellis, Fort, Gentry, Harper, Harris, Johnson, Lucas, Mills, Monroe, Powers, Rawlins, Reese, Shelton, Snell, Thompson, Welborn and Wollskill--21.

For Mr. Ferguson--Mr. O'Bryan--1.

Absent, Mr. Calhoun.

Whereupon, John McAfee, having received a majority of all the votes given, was declared duly elected sergeant at arms of the Senate; was qualified and entered on the discharge of the duties of his office.

The following message from the Governor was communicated by Jas. L. Minor, Secretary of State, and was received and ordered to be read:

Fellow-citizens of the Senate and House of Representatives:

You have again assembled, in your respective Halls of legislation, to discharge the high and important duties imposed on you by the Constitution and laws of the State.

In consequence of the death of the late THOMAS REYNOLDS, Governor of this State, which event occurred on the ninth day of February last, the Chief Executive Office devolved on me, and it becomes my duty, under the organic law of the State, to address you on the present occasion.

In the performance of this duty, I should do injustice to my own feelings, if I failed to express the deep and lasting regret occasioned by the melancholy occurrence, which deprived the State of the valuable services of this able officer, and highly esteemed citizen, whose unceasing exertions, from the time he was called to preside over the State, to the day of his death, were directed solely to the promotion of the best interests of the people of Missouri. His remains now lie in the public burying ground near this place, and it is respectfully recommended, as a tribute of respect, that provision be made by law, for the erection of a suitable monument to his memory.

The loss sustained in consequence of the excessive rains during the past spring, by the people of the State, and particularly those who resided on the bottom lands of the Mississippi and Missouri rivers and their tributaries, has been seriously felt; and the sickness and death which have resulted from the overflow of the low lands, in many sections of the State, have greatly aggravated the sufferings of those exposed to their influence. Yet it is consoling to know that these things have passed away, and that favorable seasons and good health have again returned among us, and that we are now in the full enjoyment of plenty, afforded by the abundant resources of our State; and that peace, harmony and comparative prosperity reign within our borders. For such blessings we owe our devout thanks to Him who alone can bestow them.

It is a source of gratification that since the adjournment of the last Legislature, the circulating medium of our State has been greatly improved, and indeed it is believed that at no previous time, has our currency been in a sounder or better condition than at present. All the depreciated and worthless paper of other States has ceased to circulate among the people, and in its place may now be seen in circulation a fair proportion of silver and gold, the only true representatives of value.

This state of things has produced uniformity in the value of all the productions of the Farmers, and in the wages of the Mechanics of the country, thereby securing to all a fair relative reward for their exertions in whatever pursuit they may be engaged.

At the last session of Congress an act was passed by that body, having for its object, the final settlement of the northern boundary line of this State, a certified copy of which will be found among the documents accompanying this communication. By a provision of that act it becomes necessary for this State to give its assent to the settlement of the line in dispute in the manner therein proposed.

The act contemplates that one commissioner be appointed on the part of this State, and one commissioner on the part of the United States; that these commissioners shall appoint a third; that they shall employ a suitable surveyor; make survey of the disputed line, and make report to the offices of the Secretary of the United States, of the State of Missouri, and of the Territory of Iowa; and the line so ascertained, surveyed, marked out and returned as aforesaid by any two of said commissioners, shall be the northern boundary line of the State of Missouri.

As it is highly important that this question should be speedily and peaceably adjusted, I recommend that the Legislature pass an act, agreeing to the establishment of the line in the manner indicated by the act of Congress.

By this means there will be removed a difficulty which, at one time, occasioned serious collision between the people of this State and of the Territory of Iowa, and the adjustment of which, it is hoped, will tend to produce perpetual harmony and friendship, between the citizens of the two Governments, residing in the neighborhood of the line.

By an act of the Legislature of the State, approved on the eleventh day of February, 1841, entitled, "An act to survey and mark out the southern boundary line of this State," provision was made for the survey of that line by means of commissioners and a surveyor, appointed jointly by them.

In accordance with the provisions of said act, the Hon. Daniel Dunklin, (Ex-Governor of this State) was appointed a commissioner on the part of this State, and proceeded to the discharge of the duties imposed on him by law, in connection with the commissioners on the part of the State of Arkansas.

From all the information received, it is believed that nearly sixty miles of the line between the two States have been run, and the balance remains yet to be completed.

I regret to inform you, that on the twenty-fifth day of July last, Governor Dunklin departed this life at his residence in Jefferson county. In the death of this most estimable man, the State has lost one of its most valuable citizens, and one too, on whom, on various occasions, the people of the State have been pleased to bestow high offices of both honor and trust, the duties of which he discharged with great ability, and with the entire satisfaction of those whose interests were committed to his charge.

In consequence of his death, a vacancy was occasioned in the board of commissioners, and being desirous that the survey should be completed in time for the report to be laid before you, during your present session, I appointed George Penn, of Saline county, his successor. Upon his making application at the proper department for means to prosecute the survey, it was found that the amount which had been appropriated by law to defray the contingent expenses of the survey, was entirely insufficient, and that the amount which this State was authorised to advance for that purpose had been exhausted and that consequently the survey had been suspended awaiting another appropriation.

It is supposed that if the Legislature should take early action on this subject, that it is possible, that the survey might be completed and the necessary report made, before its adjournment. I therefore respectfully recommend an appropriation, at as early a period as practicable, of such an amount as the General Assembly may think sufficient to carry into effect the provisions of the act.

At the last session of the Legislature the late Hon. Lewis F. Linn, was elected to the United States Senate, for six years from and after the fourth day of March, 1843; but before he entered on the discharge of the duties imposed on him, he was called to pay the debt of nature which we all owe. He died at his residence in Ste. Genevieve county, on the third day of October, 1843.

In the death of Doctor Linn, the State lost one among its highly valued public servants, and one too, who has been taken from us when he seemed to promise a continuation of his usefulness to the people who had repeatedly given evidence of their great confidence in his integrity and talents.

In consequence of the death of Doctor Linn, a vacancy was occasioned in the representation of the State in the Senate of the United States, which was filled by the appointment of the Hon. David R. Atchison, by the late Executive of the State. This appointment expires on the meeting of the present Legislature, and it will be for you to fill the vacancy thus created.

In reference to our late distinguished Senator, and the late Ex-Governor of this State, the Hon. Daniel Dunklin, I take this occasion to express my hope that the General Assembly will, by its public action, express its sense of the fidelity with which they have discharged the various public duties which have been confided to them.

From the result of the late election in this State, it is now certain that it is the will and pleasure of a majority of the people, that a convention to amend, alter or make a new constitution, shall be held in November next. That the constitution, which will be presented by that convention to the people for their ratification, may be such as to merit their approbation, and that it may prove highly beneficial to the best interests of the people of the State is most devoutly to be desired.

The amendments to the constitution of the State, which were submitted for the consideration of the people by the last Legislature, will be a subject that will claim your serious attention. By the provisions of one of the amendments proposed, all the Supreme and Circuit Judges of the State, retire from office on the first day of January next.

No doubt is entertained but that the great object, proposed to be attained in the adoption of these amendments, was to render the judiciary more immediately responsible to the people for the faithful discharge of their duties, and to elevate the character of the Bench by enabling the appointing power to bring into the service of the State, at different periods, the highest grade of legal ability. But as the meeting of the convention and the formation of a new constitution may be considered as certain, the question arises, whether or not, it would be advisable, that these amendments should now be ratified. The judicial department of the Government will be a grave subject for the consideration of that convention, and will, in all probability, undergo important modifications. The public mind has been kept excited on this subject by the press, and a reasonable expectation may be entertained, that the most important, as well as the most desired, feature of the new constitution will be that affecting the tenure of the judicial offices of the State.

In this event would it be advisable for the Legislature to ratify these amendments, when the probability exists that the same alterations, proposed by the amendments, will constitute a portion of the new constitution. The Judges who would be appointed under the contemplated change in the present constitution would hold their offices only until the adoption of the new constitution, and this brief intervening period would have the effect of keeping from the Bench those, who perhaps well qualified, would still be indisposed to resign their practice at the bar for the short and uncertain duration of their office.

At the last session of Congress a proposition was submitted to the House of Representatives, having for its object the election of the electors of President and Vice President of the United States, on the same day in all the States of the Union. Under the law of Congress as at present existing, it is believed that

many frauds are committed on this most important of our elections, by means of votes imported from neighboring States. In this manner the will of the people of a particular State may be set aside by this unjustifiable operation of foreign influence.

This result could not be effected if this proposition had become a law. As a majority of the States have thought proper to hold their elections on one day, no good reason is known why it would not be good policy, on the part of the General Government to provide by law for holding the election of President and Vice President in all the States on the same day, and to this end it is respectfully recommended that our delegation in Congress be requested to use their best exertions to obtain the passage of a law to that effect.

In connection with the election of President and Vice President of the United States, it is submitted whether it would not be well to cause other State officers than Circuit Attorneys to be elected on the same day. It is certainly very desirable to obtain, at such an important election, a vote of the people as full as possible; and if certain State or county officers were to be chosen on the day of the Presidential election, would it not have a tendency to induce more persons to attend the polls?

At the last session of the Legislature, the subject of laying off the State into districts, for the purpose of electing the members of Congress to which this State was entitled, by single districts, occupied a considerable portion of the time and attention of the General Assembly, and it is confidently believed that a majority of the members of that session was in favor of this system of election by districts. And if it had not been for the extraordinary legislation of Congress on this subject at the extra session of that body, in which they indirectly commanded the States to district themselves in order to elect their members to Congress, no doubt is entertained but that the State would have been districted by the last General Assembly.

Since the passage of that act, which was deemed invalid by the last General Assembly, two elections have been held in this State, for members of Congress, each of which was held under the law of this State by general ticket. The House of Representatives of the United States viewed the act of the previous Congress in the same light in which it was viewed by the General Assembly of this State, and our members to Congress were declared duly elected. This may be considered as settling the question, and no reasonable doubt can now be entertained but that the members to Congress, elected at the last August election, are entitled to their seats. Indeed, all parties in this State have acquiesced in the decision of the House of Representatives, by voting for members to the next Congress, which many of our citizens refused to do, previous to the adjustment of the question by the House of Representatives. Even if this decision should be reversed by the next House of Representatives, of which there is little or no probability, it could not be made to have a retrospective effect, without violating every principle of law and justice.

But the time has come when an opportunity is again offered to the people of this State, through the Legislature, to act on this subject, and in as much as the command of Congress has been set aside, there is no reason why the present system of election should be continued, especially, as it is believed that there is a decided majority of the people of the State in favor of the district system of electing our members to Congress.

In view, therefore, of all the facts connected with this subject, I presume you will consider it to be your duty to lay off the State into five equal districts, as nearly as may be, for the purpose of electing, in future, our Representatives in Congress.

The subject of the annexation of the republic of Texas to the United States, has for some time excited a deep interest among the people of this State, and it is believed that an overwhelming majority desires to see that object accomplished.

The State of Missouri is peculiarly interested in the successful result of this measure. If Texas be admitted into the Union, it becomes at once to us a border State, and our relations assume, in consequence, an intimate and friendly character. Our connection with it too, is rendered still more close, by its numbering among its inhabitants, many who were once the citizens of our State. In a commercial point of view, in the great and increasing market it would afford for the agricultural and mechanical products of our labor, and in the exchange of commodities that would result from this trade, it is highly desirable that Texas should become a part of our Union. If, on the other hand its admission into the confederacy should not take place, the consequence to us would be perilous, perhaps disastrous. The General Government has located on our borders, and those of Arkansas, immense hordes of Indians; whose warriors, at this time amount to nearly forty thousand, and in the limits of Texas they are computed to be about twenty thousand more.

In the event of a war with Texas, either as a principal or an ally, it would be an easy thing to precipitate on our territory a fearful number of these savages. A servile war too could easily be excited among us, and, when is added to these, the blockade of the mouth of the Mississippi, whereby all our products reach their destination, the evil would be intolerable. And as a field too, whereby an invasion of our soil, by a foreign enemy, could be rendered so easy, as to be used at discretion, the acquisition of Texas becomes to us a matter of the first moment.

I have alluded to these points by which the question bears directly on our State, but in consequence of its general agitation throughout the Union. I have not thought proper to bring to your consideration the other bearings of this great question, on our relations as a confederacy.

As no doubt is entertained on the subject of the wishes and feelings of all our members in Congress in relation to this matter, and of their anxious desire to aid in the accomplishment of this great national object, in order therefore, that the wishes of the people in this State may be fully known and understood by the Congress of the United States, I would respectfully suggest that you memorialize Congress in favor of the annexation of Texas at a period as early as practicable.

Closely connected with this subject, is the subject of our title to the territory of Oregon. The possession of this country by the United States is not only important in a military and commercial point of view, but it assumes a more important aspect when it becomes necessary for us to assert our clear right to it against the pretended claim of the British Government. The studied policy of that Government, in availing itself of every possible pretext to extend its territory, whereby protection can be afforded to its great marine, and a market opened for its immense manufactures, is too well known to require explanation or comment here. Shall we tamely submit when our soil is invaded, and a military force planted on it, that will render its recovery, at a future day, a matter of great doubt, perhaps of impossibility.

We owe to ourselves, as a nation, to assert and maintain, at all hazards, the integrity of our territory, and we owe besides, to those who have planted their homes in this new region, that protection which they have the right to claim as American citizens on American soil. As many of our most valuable citizens have emigrated to that territory, it seems to me that an expression of the public feeling on this subject would come with peculiar propriety from the General Assembly of this State, and I cheerfully recommend this course to you.

At the last session of the Legislature an act was passed entitled "An act to provide for the sale of lands for the taxes." Under the operation of this law a very large amount of land has been offered for sale, and no inconsiderable quantity sold, and although the object, intended to be accomplished by this law, was of itself, perfectly just and right, yet it is believed that it has operated very unequally and even unjustly on innocent persons.

In many cases, persons have purchased tracts of land, believing that their title was perfect, and that there was no claim whatever on it. and the first notice they have had to the contrary, was the fact that their lands had been sold for taxes in arrear, by the sheriff of the county, and were now the property of another. This evil should be remedied as far as possible by the Legislature.

In the twenty-second section of said act, it is made the duty of the Register of Lands to give notice of the time and place of any sale to be made by the sheriff, under the provisions of this act, at least six weeks before such sale; said notice shall be once inserted in some newspaper printed in this State.

It is the general opinion that the above notice is entirely insufficient to give the necessary information to those interested. It is therefore recommended that the time of notice should be longer, that the publication should be made in at least two papers; and that two years should be allowed to every person whose lands may hereafter be sold under the provisions of this act, to redeem the same, and that publication should be made annually of the lands that have thus been sold, together with the name of the purchaser, and the amount required to redeem them.

In the south-eastern part of the State, there is a tract of country known by the name of the "Great Swamp," which is subject to overflow a great part of the year. The whole of this inundated land is now in possession of the General Government, and will perhaps remain so forever, unless some means shall be devised, by which it can be drained. In its present condition, it is dealing out disease, sickness and death upon those who live on the lands contiguous. It does therefore appear to be but just that the General Government should unite with those who feel a deep interest in removing this nuisance from among them, and to this end I invite your attention to the subject, and respectfully recommend a memorial to Congress proposing the donation by the General Government of the whole, or such part of these lands, as may be proper, to the counties in which they are situated, upon condition that these counties will undertake to drain the lands thus donated. Such a measure would greatly increase the value of the adjacent public lands, facilitate the intercourse between the citizens of that region of the State, afford a fund whereby these swamps may be drained, and render healthy a country capable of supporting a dense population.

The last Legislature passed a memorial to Congress on the subject of providing for the defence of the western frontier of our State, by furnishing mounted dragoons as the most efficient force that could be employed against the Indians on our border. I congratulate you on the fact that, at the last session of Congress, an act was passed to remount the second regiment of dragoons, whose services will be the means of affording protection to those who live on our western line.

There has been repeated legislation on the subject of ascertaining the actual strength and condition of the militia of this State, in order that the Adjutant General might report the correct number to the proper authority of the General Government, and our State be thereby entitled to its full share of the public arms. It is believed that all the legislation, heretofore had on this subject, has most signally failed, and that great loss has been sustained by the State annually, in consequence. The exposed situation of Missouri, liable to attack at any moment, from the Indians located on our frontier, renders it very important that some important measure be adopted that would enable the State to receive its full quota of arms.

In consequence of the imperfect organization of the militia at this time, no certain reliance can be placed on the reports made by the few officers now in commission. I suggest to the General Assembly the propriety of passing an act requiring the assessor of each county, when he is engaged in listing the taxable property, to write down the name of each person subject to militia duty in his county, and to report the number thus found, to the Brigadier General in whose brigade his county may be situated, and that the Brigadier General should con-

solidate the reports thus made to them, and return the aggregate of the Brigade to the Adjutant General, to be by him reported as the true strength of the militia of this State. The names of the entire militia of each county of the State, being thus obtained, a speedy organization could be effected at any time.

In order to enforce a strict compliance with the duties thus imposed on the assessor, the county court should not be allowed to audit the accounts of this officer, until he has produced satisfactory evidence of his having complied with the provisions of the law in this respect.

I entertain no doubt but that this plan would produce a closer approximation to the true strength of the militia of the State than any other that has hitherto been adopted, and that the additional labor that would be imposed on the assessors, would not be found to add very materially to the expense of ascertaining the amount of taxable property in the State, and bear but a very small proportion to the increased amount of arms that would be thus produced.

By an act of the last General Assembly approved on the sixteenth day of January, 1843, the number of the circuit courts, to be held in each county from and after its passage, was reduced from three in each year to two, and among other provisions it was enacted in the third section: "That in all suits brought in the circuit courts and in the St. Louis court of common pleas, in this State, issues shall be made up as now provided by the act entitled "An act to regulate the practice at law," approved; 17th March, 1835, and after the issues shall have been made up, the suits shall stand continued until the second term, when they shall be tried unless continued for good cause. It is believed that no serious objection exists to the reduction of the number of the terms of the circuit courts in each county, but the delay that is occasioned in the collection of debts, by virtue of the third section of the law, as quoted above, is rightly considered by many, as manifestly unjust in its operation on creditors. In addition to this consideration, may not such an unnecessary delay in the collection of debts be regarded as an inducement to many to sue, who, under other circumstances, would not resort to this course to secure their demands?

Believing that much evil results from the operation of the third section of the above recited act, and also from the fourth section of the same, by which the same rule is applied to Justice's courts, I accordingly recommend their repeal.

The Constitution of the State makes it the duty of the General Assembly, at the expiration of every period of ten years, to revise, digest and promulgate "all the statute laws of a general nature both civil and criminal."

In furtherance of this constitutional provision, the last General Assembly passed an act to provide for revising and digesting the laws of this State, and appointed William B. Napton, Henry S. Geyer and William Scott, commissioners for that purpose, who were required to prepare a revision of the laws and submit the same to the present General Assembly. Mr. Geyer declining to accept, the late Executive appointed James W. Morrow in his place. The commissioners will, no doubt, at an early day, lay before you the result of their labors.

It is needless to press upon you the deep importance of this subject, and the necessity of giving to the report submitted to you, a fair and deliberate examination. The stability of property, individual liberty and indeed the general prosperity and happiness of the people of our State mainly depend on a wholesome system of statute laws, and nothing produces a greater tendency to the preservation of the public peace and good faith among individuals, than well considered and wisely digested laws.

In directing the publication of the code that may be adopted by the General Assembly, I recommend that the number of copies printed for the use of the State should not be less than ten thousand. The increase of our population, the corresponding increase of civil officers, and the fact that three editions of the last code were printed for the use of the State, induce the belief that the number recommended would not be too large.

From the report of the Inspectors of the Penitentiary, which will be laid before you at an early day in your session, you will be informed of the condition and management of the prison during the last two years. At the time the present lessees took possession of the Penitentiary, there were about one hundred and thirty convicts in confinement. There are now about one hundred and eighty in the institution and about twenty or twenty-five at large, who have escaped. There are only eighty cells in the prison, consequently two and sometimes three convicts are necessarily confined in one cell. This is subversive of all discipline, and is undoubtedly one of the causes of the numerous conspiracies and escapes that have occurred within the term of the present lease. An increase of the present number of cells, under such circumstances, becomes absolutely necessary. I recommend also that some provision be made for the separate confinement of female convicts.

I feel it to be my duty to recommend to your serious consideration, the erection of a lunatic asylum in this State. From the census of 1840, taken by the General Government, it appears that there are in Missouri sixty-eight insane and idiot persons. From a fair proportion of these and from the probable increase of this number since that time, it is reasonable to suppose that there are now in our State about fifty insane persons. By the provisions of our law, such unfortunate beings are confined in our county jails, where they seldom if ever receive any of those soft and kind attentions that have been found so necessary for their recovery and restoration to society. This has forced many of our citizens to send to foreign institutions of this kind, the insane who happened to be connected with them by ties of relationship or dependence. This should not be so, and we should alter, at the earliest practicable period, our system of policy which seems to regard these hapless beings as fit subjects for association with felons and murderers, as men whose misfortunes is made the subject of the same punishment as the violators of the criminal code of the land, and whose secure confinement in a prison is considered essential to the repose of society.

The very construction of our county prison precludes the idea of the comfort that is essential to the proper repose of the insane confined therein, and the usual management of these institutions necessarily debars such unfortunate inmates from the liberty and apparent freedom from restraint, that are found to be such important agents in soothing and strengthening their disordered intellects. It is true that a kind Jailor may sometimes ameliorate their condition, but it can scarcely be supposed that his attention, distracted by his other prisoners, can be rendered very serviceable, or that his efforts can tend much to the recovery of the lunatics in his custody, when he has neither the skill nor time to use the only means that have been found effectual in their cure. The consequence is that the future restoration of the lunatic, if not rendered wholly impossible, is made a matter of great doubt and difficulty. It is our duty as a Christian people, to treat these miserable beings, from whom, for some wise purpose, doubtless, our CREATOR has withheld the noblest one of his gifts, as fit subjects for our compassion and not as objects of our punishment, and to regard their calamity as an appeal to our protection and not as an incentive to our inhumanity.

I recommend therefore, that provision be made for the erection or purchase of a suitable building, in the City of Jefferson, for the reception of the lunatics of our State. It is true, that the finances of our State, will not justify the expenditure of a large amount for this purpose, but in a matter that appeals so strongly to our humanity, the only consideration of cost that ought to be entertained should be that which would limit the expense to the amount absolutely necessary to effect the object. The statistical tables from other States show an immense proportion of cures of the insane committed within a year, and as the number with us is as yet small, the annual expense, after the institution is once in operation and with the fair proportion of cures, would be comparatively inconsiderable. There is also another point of view in which this institution

may be beneficial. The plea of insanity has become a very common one, in cases of homicide, and when it is used successfully the offender, is turned loose upon the community, perhaps to repeat the offence for which he was arraigned. Would it not be well by making this plea a special one, one on which the jury must specially determine on the fact of madness, to imprison the accused in the Asylum until he has been pronounced, by competent authority, entirely cured of his homicidal propensities? To these subjects I invite your serious attention.

I transmit to you the annual report of the Inspectors of the State Tobacco Warehouse in St. Louis. From their statement it will be seen that the receipts on account of the State for the last fiscal year, amount to the sum of seven hundred and sixty dollars and fifty cents. When it is recollected that the sum of two thousand five hundred dollars is annually paid by the State, on its bonds issued for the purchase of the site and the erection of this warehouse, it becomes a matter of grave consideration whether the State should not free itself from this incumbrance. It is true that the estimated receipts for the first year may not be considered as a fair average for the future, but may not the expectation be justly entertained, that as the trade in this staple of our State increases, private enterprise will start up to participate in its benefits? In such an event competition will reduce the income of the State warehouse, and it will be rendered very questionable, whether, at any time, the revenue, derived from this source, will equal the amount of interest annually accruing.

No injury can arise to our citizens from the discontinuance of this warehouse as the inspection of tobacco can still be obtained in St. Louis. I am of the opinion that it is the interest of the State, to dispose of this property at the earliest period. The increased value of real estate in the City of St. Louis, induces me to believe that the State can dispose of it on such terms as will secure it from any serious loss.

The Auditor of Public Accounts will in due time report to you the condition of the Treasury at the end of the two last fiscal years. From his report you will find that the balance remaining in the Treasury on the first day of October, 1842, was

\$41,356 36

The amount received during the two fiscal years ending 30th September, 1844, is

393,953 46

Making the sum of

\$435,309 82

There has been disbursed during the above period the sum of

376,987 40

Amount of wolf scalp certificates burnt,

9,628 00

\$386,615 40

Balance,

\$43,691 42

Leaving this balance in the Treasury on the first day of October 1844.

This sum consists of various special funds which are not subject to the payment of the current expenses of the Government.

It will also be seen that the amount of State bonds, that have been issued and sold, is nine hundred and twenty-two thousand, two hundred and sixty-one dollars bearing interest at the rate of from five and a half to ten per centum per annum, making the annual interest that accrues, more than seventy thousand dollars.

Of the amount due on account of State bonds, the sum of two hundred and seventy-eight thousand, two hundred and sixty-one dollars, is now bearing an interest of at the rate of ten per centum per annum, and these bonds are redeemable in 1846. As there is no probability of raising the amount necessary to redeem these bonds at that time, it is respectfully submitted, that new bonds be issued for the amount bearing a less interest, and that the money arising from their sale be applied to the payment of the first named bonds. State bonds bearing eight per centum per annum, issued at the last session of the Legisla-

ture, were readily sold, and I have no doubt but that others bearing a similar rate of interest could be as readily disposed of. By this operation the Treasury would gain the sum of five thousand, five hundred and sixty-five dollars annually.

This, however, would afford but partial relief. When to the current expenses of the Government is added the amount of interest annually accruing on the State bonds, it will be seen that the annual expenditures of the State will greatly exceed its income. The deficit thus arising, it is thought, will not be less than fifty thousand dollars annually.

To extricate us from this condition, no alternative is left but to continue the issue of State bonds, or to resort to an increased rate of taxation.

I cannot recommend the first mode, for the obvious reason, that such a course would only render our difficulties the greater. The interest accruing on this fresh issue of bonds would swell our debt so as to require each year a new loan, and the payment of the debt, thus continually increasing, would be rendered a matter of serious difficulty.

Taxation, then, in my opinion, must be resorted to for this purpose; and I respectfully suggest to the General Assembly, whether it would not be advisable to free ourselves from this burden of debt at the earliest practicable period, and whether we should not make the attempt now, when that burden is comparatively light.

We owe it to ourselves to pay the debts of our own contracting. It is most assuredly bad policy to wait for the increasing resources of the State to discharge debts that are increasing still more rapidly, and to me it seems a matter of very questionable morality for us to incur obligations and to leave to our posterity the task of discharging them.

I am aware that the proposition of an increase of taxation is not likely to meet with universal favor; but we cannot close our eyes on the prospect of our increasing debt, and it becomes my painful duty to urge upon you the necessity of this course.

Although the rate of taxation was increased at the last session of the Legislature about twenty per cent., yet, in consequence of the very great reduction in the price of all kinds of property, and the very low rate at which the assessors valued the property in their respective counties, it is very certain that the amount of revenue that will be received, will not increase in a corresponding proportion, notwithstanding the greater amount of property subject to taxation in this State in each succeeding year.

It is true that the various taxes, to which our citizens are subjected, render their payment sometimes difficult, yet I am inclined to think that the taxation levied by counties and corporations constitutes, in a majority of cases, the chief portion of the burden. If the right exercised by these powers be limited, the revenues of the State may be increased in a corresponding degree, without imposing any additional burden on the people.

The condition of our university and of our common schools will be duly communicated to you by the Secretary of State. It is very much to be regretted that the dividends declared by the Bank of the State of Missouri, on these funds, have been so small as to impair seriously the benefits expected to be derived from them. There are now invested in this institution, by the State, the following sums: The sum of one hundred thousand dollars for the use and benefit of the University, and five hundred and seventy-five thousand, six hundred and sixty-seven dollars and ninety-six cents on account of the common school fund. On the 31st day of December, 1842, the bank declared a dividend of three per cent. on the capital stock paid in, and it has declared no dividend since. Judging from the experience of the last four years, the seminary and common school funds will be rendered almost useless if they depend on the profits arising from their investment in the bank. The amount arising from this source will be entirely insufficient to meet the demands made annually on these

two funds; and in my opinion, the General Assembly should provide some means by which they may produce a greater amount of income. If indeed the position be correct, that our free institutions cannot be preserved and perpetuated without diffusing general information among our citizens, how many sacrifices should our people not consent to make to preserve from depreciation and loss the sums which were placed in their possession for such important purposes? For it should be borne in mind that the State is entirely indebted, under compact with the General Government, for the funds now under consideration, and that our own citizens have not contributed towards any portion of them.

It will be seen by the report of the curators of the University, herewith transmitted, that the time has now arrived when that institution must cease to exist, and all the fond hopes which were at one time entertained of its usefulness, be forever blasted. Shall this result be permitted to take place? It is for this Legislature to determine. It is well known that, without pecuniary aid, the University cannot be sustained; and in this, as in every other system of public instruction, it is essential to success that the income accruing should be certain and permanent. Every plan of education, must languish and die that subjects professors and teachers to fluctuations and delays in the receipt of their compensation.

The question now is, what aid will the State afford the University in this its most trying necessity?

When the State invested the fund which was set apart for the support of the University, in the stock of the Bank of the State of Missouri, no doubt was entertained but that it was done under the belief that it would be both a safe and profitable investment; but the experience of nearly the last three years induces the opinion that it is neither the one nor the other. The average dividends declared by the bank for this period on the capital stock thus invested have been little more than one per centum, and the value of the stock at this time, if put in market, is believed not to exceed seventy-five per centum. Great loss has therefore been sustained by the seminary and common school fund by being thus invested by the State in bank stock; and it is respectfully submitted whether good faith does not require that the State should guarantee to both these funds an annual income, equal to six per centum, the rate of legal interest allowed by law. Should this suggestion meet with your favorable consideration, it would perhaps be due to the State, in return for such guarantee, that if, at any time, the dividends on these stocks should exceed six per centum per annum, such excess should be paid into the State treasury.

In the mean time, if, under the Constitution of the State and the act incorporating the bank, the power is clearly reserved to the Legislature to make any disposition of these funds, which, in their opinion, would prove more safe and profitable than their present investment, would it not be well, if the stock held in the bank, on account of these two funds, be sold, and the proceeds invested in such State securities as are in market, or can be procured by negotiation. If these stocks will realize seventy-five per centum, the seminary fund (for instance) would amount to seventy-five thousand dollars. This sum invested in State bonds bearing at the lowest rate six per centum, would produce four thousand five hundred dollars annually, which is far more than the meagre amount arising from the dividends of the bank, which have realized on the capital stock of one hundred thousand dollars, the annual amount, for nearly the last three years, of about one thousand dollars.

If the General Assembly, then, should think itself bound to take care that these funds suffer no diminution, might not the deficit thus created be supplied by money arising from the sale of the five hundred thousand acres of land granted to this State by Congress? It is true, that the assent of Congress must previously be obtained, yet I think that on a memorial to that effect there would be no difficulty in obtaining for this purpose a modification of the grant, which would still leave a large sum for an internal improvement fund.

The great cost of the construction of the public buildings in the City of Jefferson, in my opinion, renders advisable some measure to guard them against destruction by fire. By virtue of an act of the last General Assembly, the fire places of the capitol have been laid with sheet iron, so as to, in a great degree, prevent all danger from that source, yet the building is far from being fire proof. Perhaps it is as much so as it can be rendered; yet to guard against accidents, I would recommend to you the propriety of causing to be dug, on the capitol hill, one or more cisterns, and the purchase of a fire engine with the necessary hose.

The public spirit of the citizens of Jefferson, I have no doubt, would soon organize a fire company, whose services would be cheerfully rendered in behalf of the State.

Among the documents which accompany this communication will be found a letter from the Treasury Department of the United States requesting certain statistical information respecting this State, which I respectfully refer to you, with a suggestion of the propriety of making it the duty of sheriffs, when they take the census of this State, to collect and report the information thus desired for the use of both the State and General Governments. You will also find a correspondence between the late Governor of this State and the Governor of Illinois, in relation to the surrender of Richard Eels, a fugitive from justice, charged with having assisted in decoying slaves from this State.

I invite your particular attention to this subject. The other accompanying documents have been received from the several States and from individuals, with a request that they be laid before the General Assembly.

From a communication of the Register of lands, herewith transmitted, it will be seen that nearly one half of the grant to this State by Congress of five hundred thousand acres of land has been selected by the commissioners appointed for this purpose, and that in the land districts of the United States the proportion of these lands has been selected as follows:

	Acres.	Hdts.
In the Palmyra land district,	48,678	16
“ Springfield “	64,098	49
“ Fayette “	67,309	87
	180,086	52
Amount selected in the Lexington district, and not yet acted on by the Secretary of the Treasury.	46,565	07
Making	226,651	59
Of this quantity there have been sold in the Fayette land district,	5,137	32
In the Springfield land district	160	00
	5,297	32

For the sum of six thousand six hundred and twenty-one dollars and sixty-one cents.

There yet remains to be selected, two hundred and seventy-three thousand three hundred and forty-eight and 4-100 acres, which by an act of the last General Assembly, are directed to be taken in the counties of Platte, Buchanan, Andrew and Holt.

In pursuance of the provisions of this act, a commissioner was appointed by the late executive, and directed to proceed as early as practicable in the discharge of the duties imposed on him by law.

His report has not as yet been received but will in all probability, be filed in the office of Register of Lands at an early period of your session.

The act above referred to provides for the sale of such lands only as were held by pre-emption claims, and authorises the person holding their right, to come forward, prove and pay for the same within one year from the date of the pro-

clamation of the Governor, at the rate of one dollar and twenty-five cents per acre.

In consequence of this restriction imposed on the purchase of these lands, only a small portion of them has been sold. I recommend such an amendment to this act, as will authorise the sale of any part of the selected lands whether held by pre-emption or otherwise.

Closely connected with this subject, is that of internal improvements by this State.

Should the General Assembly adopt the suggestion made in another part of this communication, relative to the appropriation of a portion of the money arising from the sale of the lands above referred to, for the purpose of indemnifying to the seminary and State school funds, the amount which they may have lost by being invested in bank stock, there would doubtless still be a large sum remaining to be expended in such objects of internal improvements as shall be deemed most expedient; among these the most important, it is believed, is the improvement of the Osage and North Grand rivers.

These two rivers present in my opinion, very strong claims to the consideration of the Legislature, though doubtless there are many other objects on which a portion of this fund may be very beneficially expended.

In conclusion, I trust that your deliberations may be attended with harmony, and that your action may prove beneficial to the best interests of the people of the State.

M. M. MARMADUKE.

City of Jefferson, Nov. 18th, 1844.

Mr. Detchemendy submitted the following resolution:

Resolved, That the message of the Governor be referred to the committee of the whole on the state of the Republic, and that copies be printed for the use of the Senate, and that a committee of three be appointed to contract for, and superintend the printing of the same, the price for which to be determined by the Senate.

Mr. Detchemendy moved to fill the blank, in the resolution, with "five thousand," and withdrew his motion.

Mr. Monroe renewed the motion to fill the blank with "five thousand."

Mr. Rawlins moved to fill the blank with 3,500.

Mr. Reese moved to fill the blank with 2,000.

The question was taken on the motion to fill the blank, with 5,000 and determined in the negative.

The question was then put on the motion to fill the blank with 3,500 and decided in the affirmative.

The question recurred on the passage of the resolution, and the resolution as amended was adopted.

Mr. Monroe offered the following resolution:

Resolved, That if concurred in by the House of Representatives, the Senate will meet the House in the hall of their sittings, this evening, for the purpose of counting the votes for Governor and Lieutenant Governor,

Which was adopted.

Mr. Jones offered the following resolution, which was adopted.

Resolved, That a committee of three to be selected by the president, be appointed to draft rules and regulations, by which the Senate shall be governed, during the present session, and that the rules of the last session, be adopted for their government until the committee report, and their report is acted upon.

Mr. Fort offered the following resolution:

Resolved, By the Senate, the House of Representatives concurring therein, that the two Houses will meet in the hall of the House of Representatives on Wednesday, (to-morrow,) the 20th inst., at the hour of two o'clock P. M., and

will proceed to elect a Senator to the Congress of the United States, to supply the vacancy occasioned by the death of the *Hon. Lewis F. Linn*; also, a Senator to the Congress of the United States, whose term of service shall commence on the 4th day of March, 1845, the time at which the present term of the *Hon. Thomas H. Benton* expires.

Mr. Ellis moved to lay the resolution on the table until to-morrow,

Which was determined in the negative.

Mr. Ellis offered the following substitute for the resolution.

“Whereas, it is the right of the people to direct the action of their public servants, upon all subjects of great importance, and to insist on strict and faithful obedience to the will of the people, when clearly ascertained and expressed, as a vital principle, never to be abandoned in a representative government; and, whereas, the President of the United States did, on the 12th day of April, 1844, conclude a treaty with the republic of Texas, for the acquisition of the territory of that republic, and the incorporation of said territory as a part of the territory of this confederation; and whereas further, said treaty, in the estimation of this body, contemplated the prosperity, safety and glory of our beloved country, therefore,

1. *Resolved*, That Texas ought to be admitted into this Union at the earliest practicable moment.

2. *Resolved*, That the manner provided in the rejected treaty, or some action for the annexation of Texas on a similar basis, ought to be taken by the proper authorities at Washington, without delay.

3. *Resolved*, That our Senators in Congress be instructed, and our members in the House of Representatives requested, to advocate, by every honorable means, and to vote for any measure for the immediate annexation of Texas on the basis herein above indicated.

4. *Resolved*, That the previous consent of Mexico or of any third power, to said annexation, ought not to be asked by the Government of the United States, and that the State of Missouri is, in the opinion of the General Assembly, opposed to a division of said territory into slave-holding and non slave-holding States.

Which said substitute the President decided to be out of order.

The question being on the adoption of the resolution,

Mr. Anderson asked for a division of the question.

Mr. President decided the question not to be divisible.

Mr. Ellis moved to amend the resolution by striking out all after the word “*Linn*,”

Which was decided negatively by the following vote.

The ayes and nays being called for and ordered,

Ayes.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, O'Bryan and Snell—14.

Nays.—Messrs. Acock, Blythe, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—19.

The question then recurred on the adoption of the resolution, which was determined in the affirmative by the following vote;

The yeas and nays having been called for and ordered,

Yeas.—Messrs. Acock, Blythe, Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—20.

Nays.—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper,

Harris, Lucas, Mills, Netherton, O'Bryan and Snell--13.

Mr. Welborn offered the following, which was adopted:

Resolved, By the Senate, the House of Representatives concurring therein, that the two Houses on Wednesday next, immediately after the election for Senators to Congress of the United States, proceed to elect a Librarian for the present session of the General Assembly of the State of Missouri.

Message from the House of Representatives by Mr. Huston,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has concurred in the resolution of the Senate, proposing to meet the House in the hall of their sitting, this evening, for the purpose of counting the votes for Governor and Lieutenant Governor, and that they are now ready to receive the Senate, and that the seats on the right of the Speaker's Chair are set apart for their reception.

On motion,

The Senate repaired to the hall of the House of Representatives.

The President of the Senate, pro tempore, and the Speaker of the House of Representatives, proceeded to count the votes for Governor and Lieutenant Governor.

Which were as follows:

For Governor.

For John C. Edwards,

36,978

For Charles H. Allen,

31,357

For Lieutenant Governor.

For James Young,

36,307

For William B. Almond,

29,680

On motion of Mr. Monroe, the joint session of the two Houses took a recess until to-morrow morning at ten o'clock.

The Senate then retired, assembled in their own hall, and

On motion adjourned.

WEDNESDAY MORNING, November 20th, 1844.

The Senate met pursuant to adjournment.

Mr. Monroe moved a reconsideration of the resolution relative to the reference and printing of the Governor's Message,

Which was sustained.

Mr. Monroe, then offered the following substitute:

Resolved, That a joint committee of three, on the part of the Senate, and on the part of the House of Representatives, be appointed to contract, for printing such number of the Governor's Message, and the Inaugural address of Governor Edwards, as shall be ordered by the two Houses, the price for which, to be hereafter determined by the two Houses.

Mr. Fort moved to amend the substitute by striking out all after the word "Houses," where it first occurs in the same,

Which was sustained.

The substitute was then adopted.

The question was then taken on the adoption of the resolution and determined in the affirmative.

The President announced Messrs. Jones, Campbell and Monroe as the committee, under the resolution adopted on yesterday to draft and report rules for the government of the Senate.

On motion the Senate repaired to the hall of the House of Representatives.

On motion of Mr. Reynolds of the House of Representatives,

Resolved, That a committee of three be appointed to wait on the Governor, and Lieutenant Governor elect, and inform them of their election, and that they request them respectfully, to appear before the two Houses, now in joint session, to take the several oaths of office prescribed by the constitution.

Whereupon the President appointed Messrs. Reynolds and Coalter of the House, and Mr. Rawlins of the Senate, to constitute the committee under the resolution.

The committee returned, and Mr. Reynolds announced, that the Governor and Lieutenant Governor elect, were present and ready to be qualified.

The oaths of office were then severally administered to them, by the Hon. James W. Morrow, Judge of the Circuit court of the first judicial circuit of the State. After which, Governor Edwards, took the chair and delivered the following Inaugural address.

Fellow-citizens of the Senate and House of Representatives:

It appears from the count of the official vote, that I have been duly chosen Governor of the State for the next four years. Of this fact, the committee raised for the purpose, from the two Houses in joint session, have just given me official notice. As a more appropriate opportunity than this may not present itself, let me here return to you and to our fellow-citizens at large, my unfeigned acknowledgments for this expression of confidence and for the partiality thus shown me.

In taking the Executive chair, it has been usual for the incumbent to give to the Legislature, and through it to the people of the State, an outline of the principles upon which the affairs of the State, in the opinion of the Executive, should be administered. This is not a duty enjoined by any law, or by the constitution of the State: but is a practice which has grown up with the government, seldom if ever departed from, and with which, in entering upon the discharge of my official duties, it is now my purpose to comply.

In some things which I may deem it my duty to say, I may appear a little out of the common channel. If so, I must ask the kind indulgence of my fellow-citizens, until they have given themselves time to investigate and reflect, before they proceed to condemn me. I am well aware, that he who deviates at all from the beaten track of public opinion, or expresses an idea somewhat new in itself in politics, unless he has reached that eminence which makes his dress the fashion and his word the law, is often hastily set down as a simpleton or without reflection condemned as a blockhead, by the inconsiderate and especially by the prejudiced part of mankind. And yet the older track is not always right, nor the new one always wrong: But it must not be inferred from these remarks that I am going to wander wide from the ancient landmarks.

In the business of life it is always important to understand correctly on what we can rely, and on what we cannot rely for any given purpose. We are not wrong when we understand that we can rely upon government for the protection of our rights; but we are wrong when we understand that we can rely upon it for the support of ourselves and our families.

A few may be benefitted, here and there, but the great body of the people cannot depend upon banks or protective tariffs, or distributions of the public revenue, or upon any other acts of government, whether state or national, for support or aid; and the propagation of doctrines which induce them to look to

such sources for support or aid, are ruinous to the habits, the morals, and the interests of the country. We should bear in mind the fact that our support, the support of our government, and all our interests, depend mainly upon our own exertions.

With this truth before them, our public men and public officers should make no extravagant promises. They should not promise wealth to the people. The government cannot bestow wealth. On the contrary, both the government and the public officers want a support from the people for themselves. They should not promise to exempt the people from labor. The government cannot exempt them. On the contrary, the people must labor to support themselves, the public officers and the government. They should not promise to confer benefits on the people generally. The government has nothing to give except what it first takes from the people; and to take away to give back again would only be robbing with one hand and restoring with the other; first deducting for its officers both the expense of robbing and restoring, and leaving the people in the end poorer than it originally found them. They should not promise advantages to any particular class. The government cannot confer benefits upon a few without first extracting the means of doing so from the many. This would be unjust and partial, and the government should be just and impartial, and should act towards all men alike, and should go for the doctrine of equal rights, and pass equal laws to sustain them. They should not promise to make the people rich, for, as previously remarked, the government cannot bestow wealth because it is itself the largest beggar, and its wheels must stop whenever the people refuse to grant the necessary supplies to keep them in motion. The people must enrich themselves or they will forever remain poor. And we should never lose sight of the important truth, that on the labor of the people and the spontaneous productions of the earth, every man, and every public officer, and the government itself, must depend for support. No doctrine, then, should be taught, and no promises should be made by public men or public officers, in reference to our governments, which would retard the progress of industry among the great body of the people, and encourage a reliance upon the government instead of their own exertions for the means of obtaining the necessities and comforts of life. All should labor.

But if these things should not, still many others may be safely promised. The laws can be distributed and faithfully executed. The rights of the weak and the honest can be protected from invasion by the strong and the vicious. A proper observance of all contracts can be enforced. The public expenditures can be made reasonable. The public moneys can be judiciously appropriated, and then properly applied to the purposes for which they are appropriated. If benefits cannot be conferred on the people, vice, immorality, crime, and practices injurious to the interests of the country, can be prevented. In legislating the wishes of the people can be carried out as far as they are practicable and constitutional. As far as the people are willing to furnish the means, laws can be passed to provide for the construction of public works, and the money appropriated can be faithfully applied, and the works properly executed. Selfish, partial and speculative legislation, which while, it may contribute to the interest of a few, seldom fails to result greatly to the injury of the country at large, can be avoided. All these things can be safely promised, and by the co-operation of the legislature and the executive, can be accomplished. I hope that that co-operation may be had.

In our mixed form of government the true division of powers is always a question of vital importance. Under our system the powers which may become the subjects of legislation are divided between the people, the States and the United States, and in one or the other of these three bodies can be found every power of a political character, not excepting even those prohibited to the States.

The vast extent of the disputed questions which spring out of this division of

powers, and the serious consequences to be apprehended from collision between the States and the United States, makes the true location of the boundary between the powers reserved by the people and the States, and those granted to the United States and prohibited to the States, a question of the first magnitude for the reflection of the American statesman, and of the deepest importance for the investigation of our State Legislatures. Our constitutions mark this boundary.

These are our only true land-marks, and by them we should be guided. In our State the bill of rights shows what powers have been reserved to the people; and the constitution of the United States shows what powers have been granted to that government; and the remainder of the powers belong to the States, unless prohibited to the States. The State can exercise all the powers which have not been withheld from it by the people, and which have not been granted by the State to the United States, nor prohibited to the States; but the United States can exercise only such powers as have been granted to it by the States. The government of the United States has no existence, and can exercise no power, except that which it derives from the States.

The United States can exercise all the powers expressly granted her in the constitution of that government, and can "make all the laws which shall be necessary and proper for carrying into execution" the expressly granted powers; but any further exercise of power on the part of the United States is an encroachment on the powers reserved to the States or to the people, and a violation of their rights, and of the constitution of the United States.

But our constitutions are not regarded by all as settling the question in reference to the division of powers. A vast number of powers not expressly granted are claimed for the United States, on the one hand, and denied to that government, on the other. One party would add to the powers expressly granted to the United States, a list of constructive powers, undefined by the constitution, and unlimited in extent, setting the legislation of the United States afloat without chart or compass. The other party would confine the action of the United States to the expressly granted powers, and the power to make all laws necessary and proper to carry into execution all the expressly granted powers. On the one hand, the power to create a bank, to distribute the surplus revenue, to assume the payment of the State debts, to protect manufactures, to prohibit the importation of foreign merchandise, to abrogate all private contracts, and others, as occasion may require them, are claimed for the United States. On the other hand, all these powers are denied the United States, and the exercise of any one of them is resisted as an encroachment upon the rights of the States or of the people, and as a violation of the constitution of the United States; and out of these collisions of opinion arise difficulties which threaten the existence of the Union itself.

The danger to be apprehended from these collisions makes it a matter of good policy in the United States to refrain from the exercise of doubtful powers.—All those who are friendly to the preservation of the Union should abstain from the exercise of doubtful powers themselves; and discountenance the exercise of them by others. It is much safer to legislate too little, than to legislate too much; and if a power be disputed it is better not to touch it than to exercise it. Every officer takes an oath, to support the constitution of the United States. If a power be doubtful, of course it may not belong to the United States; and if it does not belong to the United States, and we exercise it, then we violate not only the constitution of the United States, but our oath to support that constitution. If we permit the power to remain where it belongs, no injury is done. By the exercise of disputed powers we destroy the harmony of the people—we create a prejudice against the United States, and hazard the existence of the government itself; but if we let the exercise of the doubtful powers alone, the people will move on peaceably, our governments will run smoothly together, and the union of the States will be strengthened and perpetuated.—

The United States had, therefore, better refrain from the exercise of doubtful powers.

The exercise of disputed powers by the United States, renders our State legislation insignificant, compared with national legislation; and the influence which the latter is exercising over many of our interests, and especially those of a pecuniary character, renders the investigation of national questions, one of the most imperative duties of our State Legislature.

To be convinced of the insignificance of our State legislation, and of the importance of that of the United States over that of our pecuniary interests, let us look no farther than to the revenue collected from and paid by the people of the State to each of the two governments, and the difference in the expense of collecting them. For example, our ordinary State revenue may be set down at one hundred thousand dollars annually, and the expense to the people of collecting it, at a small per cent. on that sum. The amount of revenue paid by the people of our State to the United States annually, is eight hundred thousand dollars. The expense of collecting this, through the effect of the tariff on our western country, may be set down at eight hundred thousand dollars more. The amount paid to home manufacturers for their fabrics, over and above what would be paid for similar fabrics, if imported from foreign countries and not taxed higher than for revenue purposes, may be estimated at eight hundred thousand dollars more. The loss sustained by the depreciation in prices and the actual want of a market for much of our produce, in consequence of being deprived of foreign markets to a great extent, and confined to a limited and glutted home market, may be estimated at eight hundred thousand dollars more.

These are not given as accurate estimates, but by way of illustration; yet if not below, they are not far above the actual results; and if there be any thing like truth in them, the taxing power wielded by the United States, when changed from a revenue, and perverted to a protective power, becomes an immense engine and exercises an enormous influence over our interests, and taxes us at a ruinous rate, to enrich manufacturers in other sections of the Union.— This is one of the means practised of taking from the many and giving to the few—of taking from the poor and depositing with the rich—an expensive system of plunder, the cost of which falls upon the plundered. This subject merits investigation on the part of the Legislature.

In our questions of State policy, the subject of granting acts of incorporation has become prominent. When a factory of any description is about to be erected, an improvement to be undertaken, a bank to be established, an insurance company created, or when any other experiment is contemplated, it is not unusual for a company to apply for an act of incorporation for the purpose.— Under this act, if the experiment proves successful, and the corporation realizes immense profits, all these profits are divided among the stockholders, and the whole affair goes on swimmingly. But if the experiment is unprofitable in itself, or if from accident, or bad management, or design, it proves unsuccessful, and fails with large debts outstanding, the loss falls upon the creditors, and the stockholders, though worth millions at home, go free. If an experiment proves successful for nineteen years, and the stockholders divide immense profits during that period of time, and grow rich as lords in doing so, and in the twentieth and last year of its existence, from accident or bad management, or design, the experiment fails, with large debts outstanding, the loss falls upon the creditors, and the stockholders with nineteen years of accumulated profits on hand, go free again.

A large portion of the people have long contended, that this practise of granting acts of incorporation, harmonises badly with justice and equity, and equal rights and equal privileges and good policy. In our State, the public attention has been awakening to the importance of this subject, and public prejudice has been operating strongly against its injustice, inequality and inexpediency.— Like all those practises, which imperceptibly extract revenues from the people,

its general tendency is to enrich the few, and impoverish the many; and this practice is therefore repugnant to the character and spirit of our institutions.

To refuse, however, to grant any act of incorporation, might be going too far. Cases may exist where the people of the country, may be benefitted by granting them. But acts of incorporation should no longer be granted with the unlimited powers, privileges and immunities which have generally been extended to them. Power to contract, and be contracted with, to sue and be sued, and to hold the property necessary to carry on the legitimate business of the corporation, is about as much as should be granted them.

The laws by which members of corporations are exempted from individual responsibility, should be repealed, and the members of corporations should be placed upon the footing of all other individuals, and held responsible for their just debts, whether contracted individually or in their corporate capacity. It is shamefully iniquitous to permit the members of a corporation to reap the profits of the experiment, say for nineteen years; almost the entire span of its existence—and then to let it fail in the twentieth, either by accident, bad management, or design, and drop the loss upon the unwary and unsuspecting people, and not upon those who have been reaping the profits during almost its entire existence. Those who reap the profit of such an experiment whilst it flourishes, should suffer the losses of the same experiment when it languishes.

Besides all this, the privileges heretofore granted to incorporated companies, have had a tendency to increase the inequality among men, and the government should do nothing to increase that inequality. It would be wrong to pass laws to force an equality, and to make an equal distribution of property between the idle and wasteful on the one hand, and the industrious and frugal on the other, and it is equally wrong, and even more so, to pass laws to create an inequality by extracting means from the hands of the many, and concentrating them in the hands of the few. And yet, in numerous ways besides that of granting acts of incorporation with exclusive privileges, this thing has been frequently done. In a free government, where rights are equal, and where laws ought to be equal, such legislation should not be tolerated.

The question of regulating the currency has been one of an exciting character. Out of the agitation of this question, much warm and bitter strife has sprung up among the people of the State. Some deny the constitutional power of the State to regulate the currency; some admit the evil of a spurious currency and the constitutional power to regulate it, but deny the expediency of applying a remedy; and others, again, assert the existence of the evil, claim the constitutional power and insist upon applying the most vigorous remedies.

There cannot be much difficulty about the constitutional power. The regulation of the currency is clearly a subject of legislation. If so, it must be in one of the three bodies in which all such powers are to be found under our system of government; that is, in the people, the States, or the United States, unless the exercise of it has been prohibited to the States.

In our State, the powers reserved to the people are expressed in our bill of rights. In that, the power to regulate the currency is not reserved. The power then, is not in the people. The powers granted to the United States are expressed in the constitution of that government. But in the constitution of that government, no power is granted to regulate the currency. The power, then is not in the United States. It is nowhere prohibited to the States. If, then, the power is not reserved by the people, nor granted by the States to the United States, nor prohibited to the States, then the power to regulate the currency, here, must be in the State itself, and can be exercised by our Legislature.

So much for the constitutionality of this power. The expediency of its exercise is another matter, and depends upon the people. As the power exists, if a clearly ascertained majority of the people are in favor of laws to regulate the currency, then the Legislature should not hesitate to pass laws for that purpose.

I believe it is conceded by all that the clearly ascertained will of the people, when not unconstitutional, should always be enacted into a law. But if a majority of the people are against the passage of laws to regulate the currency, then, although the country may suffer much for the want of them, the Legislature should pass no laws upon the subject. I believe, further, and it is generally conceded, that no law should be passed, upon any subject, against the will of a majority of the people.

I was in favor of limiting the issues of our bank, when that institution was chartered, to notes of a denomination not less than ten dollars. On this subject my opinion has undergone no change, except to be strengthened in the propriety of the limitation; yet, I have always considered that we did ourselves great injustice in denying to our own bank a privilege which we permitted the banks of all our sister States to exercise. To permit the circulation of irredeemable paper within the limits of our State, seems to me to open a door for the practice of immense frauds upon the people of the State, without any reasonable expectation of good from the risks we encounter.

But I am compelled to recommend no action upon these subjects. I do not believe they have been sufficiently investigated by the people. In the late canvass, so far as I was concerned, no issue was made upon them. They were urged upon me in public discussions, and I advised that they should be left for future investigation. I believe that the public will is not settled in their favor, and with me that is sufficient against recommending any action on the subject. But, of course you understand better the will of your respective constituents than it is possible for me to do, and that will, you no doubt will attempt to execute. I shall interpose no obstacle to the execution of that will.

But of equal importance, and still greater magnitude, is another question which has sprung out of the attempts to pass laws to regulate the currency.— This question is, whether a law passed by a clear majority of both branches of our legislature, and operating upon every man, and every part of the community alike, shall be nullified by any part of the community which may deem that law prejudicial to their interests.

Threats have been made to disregard, set at defiance and trample under foot, any law which the legislature may pass to regulate the currency. If any portion of the people have a right to nullify a law upon the subject of the currency, then they have an equal right to nullify any other law. If any one neighborhood has the right to set at defiance that law which it deems odious, then every other neighborhood has the same right. If every neighborhood has the right to set at defiance the particular law which it deems odious, then we had as well abandon our government, and all law and order, and submit ourselves to anarchy and misrule.

But to our credit greatly, the spirit of disobedience and resistance to established law, has rarely manifested itself, to any extent in our State. It is to be regretted that this spirit is growing rather too common in some other places; but, in our State the great majority of the people are sober and discreet, mild and prudent, industrious and frugal, honest and virtuous, and, above all, the lovers of good order and peace in society. With such a people, whatever may be the threats of a few, it seems that a faithful execution of the laws must meet with an irresistible support. And, as far as possible, the laws will be faithfully executed.

Bad laws should not be passed. No law should be passed which will not operate upon every man and every part of the community alike. Every bad law in force should be promptly repealed. No reason should be allowed to exist for disobeying or resisting the law. But all the laws in force should be sacredly observed and faithfully executed, until repealed by the legislature or decided by the proper tribunal to be unconstitutional. Man does not show himself fully capable of self-government until he can submit to the restraints imposed by the laws enacted by a majority of his fellow-citizens. Till man can do this, the commu-

nity in which he lives is in constant danger of riots and mobs, and all the evils, outrages and atrocities which go hand in hand with violent breaches of the law. It is better in all cases, as long as a law is continued in existence and not declared to be unconstitutional, to let it take its usual course. Evils that are endless and ruinous must grow out of any other course, and the seal of public condemnation should be stamped, in the outset, upon every attempt, and every threat, made by any part of the community, to disobey, resist, or trample under foot, the laws of the land, let that attempt or threat emanate from whatever source it may.

The resistance of a State law is nullification of the worst character. It is the nullification of a law, where we have a tribunal to decide upon its constitutionality, and without an appeal to that tribunal; or it is the nullification of a law after it has been decided to be constitutional. It is an open resistance to all social order, for which there can be no justifications and it is the spirit of mobocracy in its blackest character—a spirit that should not be countenanced.

The subject of internal improvement is one of growing interest among our questions of State policy. On this subject a great diversity of opinion has heretofore existed; but experiments, comparatively recent, made by some of our sister States, have gone far to settle this diversity of opinion, and to unite the public mind upon this important question. A few years back, and both at home and abroad, our State was declared to be benighted—groping in the dark—half a century behind her sister States in public spirit, and public improvement; but time has proven our course to have been the wiser one; and that some of our sister States were running far in advance of their age, population and means, in the construction of internal improvements. We were right. They were wrong. If we can, we should keep right. On this subject, in the middle course, there may be safety. We should pursue steadily a system of internal improvement, but we should not involve ourselves in debt by an extravagant system.

But I will not say that a people should undertake no improvement, when they have not the means to pay. When labor is cheap, and the necessity of an improvement great, and the advantages to result to the people certainly equal to the interest on the cost of the improvement and all the expenses of repairing, and the wealth, population and business of the country is increasing, then a people may be justified in borrowing. But in most cases there is so much uncertainty about the existence of all, or many of these circumstances, and men are so apt to fail in such calculations, some from interested motives, and others from want of knowledge, that borrowing becomes a hazardous business, and more frequently proves ruinous than beneficial. It is, therefore, generally the safest course for a government not to borrow, and I would generally advise this course; and would deviate from it with great reluctance and caution.

But the question of borrowing is not important to us now. We have a fund for internal improvements, arising from the sale of the five hundred thousand acres of public lands; and the proper disposition of this fund is the subject for our consideration. If rightly appropriated, and faithfully applied, the State can be much improved, and the people greatly benefitted by the disposition of this fund.

In connection with this subject there are several matters which should be considered. In the first place too much should not be expended in contests about the disposition of the fund. Public spirit should over-ride sectional feelings in selecting the objects to be improved, and in making the appropriations for that purpose.

In the next place, a proper reference should be had to the amount of population that can be safely withdrawn from the ordinary pursuits of life to the construction of internal improvements, without interfering to an injurious extent with the other pursuits of life. We should not so affect the farming interests as materially to shorten the crops and render the price of provisions extra-

gant. And again: we should make the best use of our means. We should not undertake too large an amount of work at any one time. By offering too much work—too many contracts at the same time—we shall destroy all competition between bidders, greatly enhance the cost of our improvements, and thus waste the public fund. The State should give fair, but not extravagant prices. She should pay well, and require good work and enough of it in return.

It has not been unusual to adopt a system of improvements covering a whole State, and to commence them all once, regardless of the capacity of the people to perform the labor and to carry on their usual avocations, as well as of the ability of the State to pay. Such a course is generally ruinous. In such a system, the price of labor runs up extravagantly high, the public money and the public credit soon exhausted, and no work is completed so soon as to be rendering a profit to the State or benefit to the people. Some of our sister States commenced on this plan, found the experiment ruinous, and then abandoned it, but too late to repair the injury and bring back the money misapplied. Works in all stages of advancement, except that near completion, lie rotting, mouldering and useless, bringing no revenue to the State, and rendering no profit to the people. We should learn wisdom from the experiments of others, and avoid their errors.

We should go to work upon a different plan. We should count the cost of our improvement, and its value to the country when completed, and compare these with the means at our command to make it. If it will not pay, then we should not undertake it; but if we find that it will be profitable when completed, and we have the means to complete it, then we should go to work. In selecting the object to be improved, if a water course for example, we should have regard to the extent of country through which it runs, the amount of population interested, and the value of the commerce which it affords, compared with the expense of the improvement. If we have means at command to complete but one improvement, we should commence but one; but if we have the means to complete two or more, then the propriety of commencing more at the same time could be considered; but too many improvements should not be undertaken at any one time.

The State, and the people in every section of the country will be benefitted by useful improvements. The State will be benefitted by an increase in the population and taxes, and in the wealth of the people; the people near the improvement will be benefitted by cheaper transportation, cheaper merchandize, and higher prices for produce. The people remote from the improvement will be benefitted by lighter taxes. As the improvements increase the wealth, the population and the value of property, so in the same proportion, they increase the taxes within the range of their influence. Out of that range the taxes are in the same proportion diminished. Thus all are benefitted.

But of all the subjects, that of education is the most important. That nature makes a difference in men, mentally as well as physically, there can be no rational doubt; but that the chief difference between the majority of men, is the effect of education in the one, and of the want of it in the other, can admit of just as little rational doubt. And between the educated man and the uneducated, there is as much difference generally, as between the cultivated and the uncultivated. The poorer field, when well cultivated, yields the best of fruits in great abundance, but the richest soil that nature ever formed, yields but sorry fruit, and that but scantily when left uncultivated. It oftener happens in the richest soil, when left uncultivated, that the rankest weeds usurp the place of any fruit.

In our State, the importance of this subject has been overlooked. It should be in advance of all other subjects of legislation, and entitled to first notice from every legislative body. An increased diffusion of knowledge is felt in every ramification of society. It is felt in the workshop, in the corn-fields, on our roads, canals and navigable rivers, in our social intercourse, in legislation, in

morals, politics and religion. Its influence in facilitating labor, in alleviating the distresses of mankind, in promoting civilization, in improving the condition of the world, is incalculable.

One reason why the importance of this subject has been so much overlooked may be this: The educated have never suffered for the want of cultivation, and therefore, do not properly appreciate the disadvantages resulting from it. The uneducated have never felt the benefits resulting from cultivation, and therefore, do not properly appreciate the advantages of it. The educated man believes in the disadvantages to a certain extent, and the uneducated man believes in the advantages to a certain extent, but each falls immeasurably short in his appreciation of the advantages and disadvantages. In proof of this we have only to look at what has been done, to visit the different portions of the State, and to examine the condition of the rising generation.

Another reason for not acting more speedily and more efficiently on so important a subject, is perhaps to be found in the length of time that must elapse before any beneficial results can flow from legislative efforts to increase the extension of knowledge. But man should look ahead, and provide not only for his own happiness but for that of his children also. The views of the liberal and enlightened statesman, should not be limited to his own tenure of life, but should extend to future times and later ages.

The evil is the want of a general diffusion of knowledge. It is true that we have not been wholly idle. Recent as is our origin, we have our academies, colleges and universities; and some of them are endowed. But these do not furnish a full remedy for the evil. All, or nearly all of those educated at these institutions, are the children of the rich, or of the comparatively rich, and who would be educated about as well by private exertions, if the public rendered no aid whatever. These institutions do not even furnish us teachers for our common schools. It is probably not unfair to presume, that nineteen out of twenty of the young men educated at our highest schools, are intended for the profession of law, or of medicine or engineering, and that the twentieth does not become a teacher for our common schools. He is more frequently the son of wealthy parents, from whom he expects an inheritance to carry him through life, without a profession or trade.

The remedy then, is not in our academies, colleges and universities as at present regulated and managed. The number educated in these institutions is but a very small fraction of the great mass of the children of the country; besides, they are intended to give finished educations to a few while numbers are left unnoticed by the government, without knowledge enough to do a common sum in arithmetic, or to read their bibles or to write their names. And yet ours is claimed to be a government of equal rights and equal laws.

There is no remedy, unless the Legislature will provide one. This can be done to some extent. A system should be adopted of preparing teachers for the common schools. One can be devised that will be cheap, practicable and efficient. Many advantages can be obtained by such a system. It will furnish every school with teachers regularly, with teachers properly qualified, and with teachers instructing upon the same plan and under the same system of rules; so that when children have once learned the government of one school, they will be prepared to commence any new school without learning a new system. In these schools every man can have a chance—there will be an approach to equality, the rich and the poor can all meet and reap the benefits.

But I must not pass another matter connected with this important subject.—I allude to an inequality that exists in the disposition of public school funds.—Here, again we act as in many other matters, upon the wrong principle, and elevate the rich still higher, and depress the poor still lower. Public school funds belong not to the rich, nor to the poor, nor to any particular class, but to the whole people; and they should be so applied, if possible, as to render equal benefits to all giving the rich no advantages over the poor.

Our common school funds are so applied. Every child whether of rich or poor parentage can enter the common schools. But while the rich can enjoy all the benefits of the funds for the common schools as well as the poor, the poor are unable to reap any benefits from the funds appropriated to our higher school. That fund is so applied as virtually to exclude all the poorer classes from the use of it, and to admit none but the wealthy and comparatively wealthy to enjoy its benefits. Such funds are always concentrated at a point, where in consequence of the expense of boarding and the expense of clothing, even if all tuition fees are paid, not one out of a thousand of the poor children of the country can be educated. They are totally excluded from the use of such funds; and such funds are almost as much applied for the exclusive benefit of the rich, as if in the application it was so expressly provided by law.

It will not do to answer, that the people are compensated for this exclusion, by the benefits resulting to the community at large, from the education of a few.

True we find a highly educated man, now and then a patriot, a philanthropist, a public benefactor, but in most cases he is a man from the humbler walks of life who has not forgotten his origin. But it too often happens, where the rich have been educated by the aid of the public funds, that instead of becoming public benefactors, they are only made sharper, and keener, and better capable of preying upon the poor; and the poor by being deprived of the benefits of such funds, are kept in ignorance and darkness, and below their natural grade; and that ignorance, darkness and depression makes them more readily and more easily a prey to the crafty. Their own money is used to teach other men to cheat them.

But I am far from opposing the higher schools. They should receive the proper encouragement and aid. But those interested in the higher schools and the education of the wealthier classes with the aid of the public funds, should take a proper view of the importance of the common schools, and of the necessity of educating the poorer classes with the aid of the public funds, if not to an equal extent, at least in a more liberal manner. As an offset for the funds set apart to make professional men out of the wealthier classes, the Legislature should set apart a fund to make teachers for the common schools out of the poorer classes. We shall seldom get any but the poor to teach our common schools.

There are various subjects on which my opinions have been expressed in detail in my printed addresses to the people of the State. In the public discussions during the canvass last summer also, when I had the pleasure of seeing many of the people in their own counties, and of talking to them in person, my opinions were still more fully expressed. The result of the contest persuades me, that my opinions were generally approved; and so far as they seemed to be approved, with the aid of the Legislature, I shall endeavor to carry them out.— And in all your efforts to advance the public interests, it will give me pleasure to co-operate with you, whenever it is not impossible to do so. In discharging my duties, I shall make the constitution the law, and the public will my guide.

In your presence, I took an oath to support the constitution of the United States, and of this State, and to demean myself faithfully in office. I hope that I fully appreciate the obligations of that oath, and that I fully understand the importance of the duties which I owe to my country; and in conclusion, I pledge myself again, with the aid of Him who rules our destinies, properly to observe the one, and faithfully to discharge the other.

On motion of Mr. Boggs, the Senate repaired to its own chamber.

On motion of Mr. Hudspeth,

Resolved, That a committee of three be appointed to wait upon the Lieutenant Governor and conduct him to the chair.

Messrs. Hudspeth, Mills and Fort, were appointed said committee.

The Lieutenant Governor took the chair and delivered the following Inaugural address:

Gentlemen of the Senate—

Called by the suffrages of my fellow-citizens, to preside over the deliberations of this Honorable body, I take this, the first opportunity, since my election to tender to them, through you their Representatives, my hearty and sincere thanks for the honor thus conferred upon me.

On taking the chair to preside over the deliberations of the Senate, candour requires me to say, that I feel my want of qualification to discharge the important duties, incumbent upon your presiding officer. Relying, however, upon your aid and co-operation, in the performance of those duties, I indulge the hope that the business of the session will be conducted in a manner calculated to promote the prosperity and happiness of the citizens of our young and flourishing State.

You are all aware no doubt, of the importance of the session just commencing. From the amount of business, likely to come before us, we may reasonably anticipate a protracted and laborious session, and many questions will probably arise, which will require my decision.

That I shall be always right, I cannot hope; but rest assured, gentlemen, that the various duties incumbent on me as your presiding officer, shall, according to my feeble ability, be honestly and faithfully discharged.

A rigid enforcement of the rules of the Senate, and the preservation of good order, shall be my constant aim, and for any failure on my part, or for errors unintentionally committed, I respectfully ask for that indulgence and forbearance, which the Senate has ever extended towards its presiding officer.

The President presented several communications on the subject of printing, which,

On motion, the reading being dispensed with,

Were laid on the table.

The President announced Messrs. Monroe, Fort and Mills, as the committee on the part of the Senate, under the resolution in relation to printing the Governor's Message and Inaugural Address of Governor Edwards.

The President presented the following communication, which was read:

CITY OF JEFFERSON, Nov. 19, 1844.

To the President of the Senate:

SIR:—

Col. BENTON, of the United States Senate, requested me to present, in his name, to the Senate of Missouri, the map of Texas which accompanies this, designed to illustrate the annexation argument.

I am sir, yours with respect,

HIRAM P. GOODRICH.

Col. YOUNG.

On motion of Mr. Massey, it was

Resolved, That the map of Texas presented to the Senate by Col. Benton, be accepted, and that the thanks of this body are hereby tendered to the presentor.

On motion of Mr. Welborn,

Resolved, That the map of Texas presented by the Hon. Thomas H. Benton to the Senate, be suspended in the rear and on the right of the Chair.

Mr. Polk submitted the following resolution:

Resolved, That the members of the Senate be arranged into the following standing committees:

A committee on Judiciary.

A committee on Education.

A committee on Ways and Means.

A committee on Claims.

A committee on Internal Improvements.

A committee on elections.

A committee on the Militia.

A committee on accounts.

A committee on Engrossed Bills.

A committee on Enrolled Bills.

A committee on the Seat of Government.

A committee on the Penitentiary.

A committee on Revised and Unfinished Business.

A committee on Agriculture.

And that each committee consist of ——— members.

On motion of Mr. Reese, the blank was filled with "five," and

The resolution was adopted.

Mr. Polk introduced a memorial to the Congress of the United States, praying the donation of certain inundated lands to the several counties in this State, in which they are situated.

Which was read a first time, and ordered to a second reading.

On motion of Mr. Reese,

Resolved, By the Senate, the House of Representatives concurring therein, that the joint rules for the government of the two Houses of the last General Assembly, be adopted for the government of the two Houses for the present session, until rules are adopted for that purpose.

Resolved, That a committee of ——— on the part of the Senate, to join such committee as may be appointed on the part of the House, to frame and report to their respective Houses, joint rules for the government of the two Houses.

On motion of Mr. Fort,

Resolved, That the message of the Governor be referred to the committee of the whole on the State of the Republic, and that four thousand copies of the same be printed in the English language, and one thousand copies in the German language, for the use of the Senate; and that a like number of copies of the Inaugural Address of Governor Edwards, be printed in each of the above named languages, for the same purpose.

On motion of Mr. Monroe,

The amendments proposed by the twelfth General Assembly to the constitution of the State of Missouri, in relation to judicial tenures, and

An amendment in relation to the incorporation of religious societies,

Were taken up, read a first time and ordered to a second reading.

On motion,

The Senate adjourned until half past one o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. McHenry,

MR. PRESIDENT:

I am instructed by the House to inform the Senate, that the House of Representatives has passed the following resolution:

Resolved, That the Senate be informed that the House of Representatives will be ready this day at two o'clock, P. M., to proceed to the election of two

Senators to the Congress of the United States for the State of Missouri; and that the seats on the right of the Speaker's chair, are set apart for their reception.

On motion of Mr. Monroe, the Senate repaired to the Hall of the House of Representatives, to elect a Senator to fill the vacancy occasioned by the death of the Hon. Lewis F. Linn; also to elect a Senator of the United States for the State of Missouri, for six years from the 4th of March, 1845.

The President of the Senate took the Speaker's chair, and announced the object of the meeting.

Nominations being in order,

Mr. Fort nominated David R. Atchison.

On the motion of Mr. Monroe a call of both houses was ordered,

When all the Senators were found to be present.

All the members of the House of Representatives present, except Mr. Carson, reported sick.

The roll was then called, and on the first ballot there appeared,

For David R. Atchison—101 votes.

For Edward Bates—1 vote.

For Sinclair Kirtley—1 vote.

For H. S. Geyer—17 votes.

For Abiel Leonard—8 votes.

For Uriel Wright—1 vote.

For John Scott—1 vote.

The names of the Senators voting for Mr. Atchison, are

Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—28.

For Mr. Bates—Mr. Campbell—1.

For Mr. Geyer—Messrs. Gentry, Lucas, Mills and O'Bryan—4.

Whereupon, David R. Atchison, having received a majority of all the votes given, was declared duly elected a Senator of the United States, to fill the vacancy occasioned by the death of the *Hon. Lewis F. Linn*.

The President announced that nominations were now in order.

Mr. Monroe nominated Thomas H. Benton.

Mr. Anderson nominated Thomas B. English.

Upon the first ballot there appeared,

For Thomas H. Benton—74 votes.

For Thomas B. English—32 votes.

For Mr. T. Polk—1 vote.

For Fleming Saunders—1 vote.

For Abiel Leonard—7 votes.

For T. L. Anderson—1 vote.

For A. W. Doniphan—4 votes.

For W. M. Campbell—3 votes.

For Rio Santo—1 vote.

For Edward Bates—1 vote.

For Richard Roe—1 vote.

For John G. Miller—2 votes.

For F. Hyatt—1 vote.

For H. S. Geyer—2 votes.

The names of the Senators voting for Mr. Benton, are,

Messrs. Acock, Blythe, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—20.

For Mr. English—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Gen-

try, Harris, Mills, Netherton and Snell—10.

• For Mr. Polk—Mr. Detchemendy—1.

For Mr. Saunders—Mr. Lucas—1.

For Mr. Leonard—Mr. O'Bryan—1.

Whereupon, Thomas H. Benton, having received a majority, of all the votes given, was declared duly elected a Senator of the United States, for the State of Missouri, for six years, from the 4th day of March next.

On motion, the Senate repaired to its chamber, and

On motion adjourned.

THURSDAY MORNING, November 21st, 1844.

The Senate met pursuant to adjournment.

On motion of Mr. Monroe,

Resolved, That a committee of three be appointed to wait on Governor Edwards, and request a copy of his inaugural address, for the purpose of having the same spread on the journal of the Senate.

Messrs. Monroe, Anderson and Shelton, were appointed said committee.

On motion of Mr. Reese, the resolutions adopted yesterday in relation to the adoption of the joint rules, for the government of the two Houses in joint session, and the appointment of a committee to report joint rules for the government of the two Houses in joint session, were reconsidered, and

On his farther motion,

The blank in the resolution was filled with "three."

The question was then taken on the adoption of the resolutions, and determined in the affirmative.

Whereupon, the President announced Messrs. Reese, Rawlins and Snell as the committee under said resolutions

Mr. Jones offered the following:

Resolved, That when bills, resolutions, or other papers before the Senate, shall be ordered to be printed, the number of copies, unless otherwise directed shall be one hundred and fifty, which shall be distributed among the members of the two Houses.

Mr. Boggs moved to amend the resolution by striking out, "one hundred and," which was agreed to, and

The resolution was adopted.

On motion of Mr. Fort, the resolution was reconsidered, and

On his further motion, the words "of the two Houses" were stricken out, and the words "for the use of the Senate," inserted.

The question then recurred on the adoption of the resolution and was determined in the affirmative.

On motion of Mr. Campbell,

Resolved, That all bills and resolutions, ordered to be printed for the use of the Senate, be executed in close work, and that no charge shall be allowed for any blank paper attached to the bills.

On motion of Mr. Jones,

Resolved, by the Senate, the House of Representatives concurring therein:

That the two Houses, will on this afternoon at 3 o'clock, proceed to elect a Librarian, for the present session, of the State of Missouri.

On leave the following bills, were severally introduced, read a first time, and ordered to a second reading:

By Mr. Ellis,

"A bill for the relief of B. J. Brown."

By Mr. Lucas,

"A bill to repeal an act entitled "an act to provide for the sale of land for taxes," approved the 27th February, 1843.

Mr. Lucas moved a suspension of the rule requiring bills to be read on three several days, and that the bill be read a second time now, which was negatived.

The following were read severally, a second time, ordered to be engrossed, and read a third time on Monday next.

"A memorial to Congress, praying the donation of certain inundated lands to the counties in which they are situated."

"Amendments to the constitution of the State of Missouri proposed by the twelfth General Assembly in relation to judicial tenures," and

"Amendments to the constitution of the State of Missouri, in relation to the incorporation of Religious Societies."

Mr. Campbell on leave introduced

"A bill to change the name of Matilda T. C. Woolfolk,"

Which was read a first time, and on his motion the rule was suspended, read a second time, considered as engrossed, and read a third time and passed.

The President presented the following report which was received and read.

To the General Assembly of the State of Missouri:

The undersigned commissioners, appointed in pursuance of an act of the last General Assembly, to revise and digest the laws of this State, beg leave to submit to the Legislature, the accompanying manuscript as the result of their labors.

A few observations will place the Legislature in possession of the mode in which the work has been accomplished.

The principal design of the law as the committee supposed, was to have all laws, passed since the revision of 1835, incorporated in the present revision, accompanied with notes of such decisions of the Supreme court of the State, as were calculated to illustrate the history, and settle the construction of the statutes.

So far as this purpose was contemplated, care and diligence were only necessary to accomplish it, and the commissioners indulge the belief, that the work will not be found wanting in this respect.

Adopting the construction which has been heretofore given, to the duty of revising and digesting the laws, the commissioners have also ventured to suggest some amendments, which experience and observation have induced them to think would have a beneficial effect. They are fully aware, that the practical utility of laws, depends very much upon their stability and permanence, and that rash or hasty innovations are at all times to be deprecated. They have endeavored to keep this principle in view, and have therefore ventured, to recommend such changes only, as were calculated, in their judgment, to carry out the policy already indicated by previous legislation, or to settle questions arising in the administration of justice about which a serious diversity of opinion existed among that profession, whose duty it is to expound or aid in the exposition of the laws. In that branch of legislation, which may be called purely political or which relates to mere police regulations, no alterations have been made, unless they were merely verbal, or necessary to accomplish the obvious intent of the Legislature.

It will also be observed that all new provisions have been so pointed out, either by being included in brackets, or by notes, calling the attention to the changes proposed, and noting briefly the reasons for such change, that they may be either adopted or rejected without inducing a necessity of a reconsideration of the law, or impairing to any extent, the congruity or consistency of the general code. In some instances, where a new policy is proposed, the law as it now

stands is reported without alteration, and the substitutes are reported separately.

The session acts passed since 1835, have all been noted in the margin of the laws now reported, shewing in what section or portion of each law they have been incorporated, and where any have been omitted, in consequence of their conflicting with the revised code, or being superfluous, a note of that fact is made.

In relation to the index, which the act of February 17th, 1843, required the commissioners to make out, it will readily be perceived, that until the laws have been acted on by the Legislature, such a work would be useless. Any index now made would necessarily, by the slightest changes in the law, be thrown into confusion, and indeed, until the body of the work is printed, no complete index is practicable. It has therefore been omitted:

With these observations the work is respectfully submitted.

W. B. NAPTON,
WILLIAM SCOTT,
J. W. MORROW.

Mr. Monroe, on leave, introduced

"A bill to suspend an act supplementary to an act to concentrate the Supreme Court."

Which was read a first time, and

On his motion the rule was suspended, the bill was read a second time, considered as engrossed, read a third time and passed.

Mr. Netherton, on leave, introduced

A bill for the benefit of John R. Shaw,

Which was read a first time, and ordered to a second reading.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Blythe introduced, on leave,

"A joint resolution in relation to the abstract of the census."

Which was read a first time, and

On motion of Mr. Monroe, the rule was suspended, the resolution read a second time, when the rule was further suspended and the resolution read a third time and passed.

Mr. Monroe, on leave, introduced

"A bill to appropriate money,"

Which was read a first time, and on motion the rule was suspended, and the bill read a second time, and considered as engrossed.

On motion of Mr. Monroe,

The first blank was filled with "ten thousand;" the second blank with "ten thousand;" and the third blank with "one thousand," and

On his further motion,

The rule was further suspended, and the bill was read a third time and passed.

On motion of Mr. Welborn.

Resolved, That the door-keeper be authorised to have the map of Texas, presented to the Senate by the Hon. Thomas H. Benton, suitably framed for being suspended on the right of the Speaker's chair.

Mr. Reese, on leave, introduced

"A joint resolution in relation to reports and communications to the General Assembly."

Which was read a first time and ordered to a second reading.

Mr. Massey, on leave, introduced

"A bill to repeal certain laws."

which was read a first time and ordered to a second reading.

On motion of Mr. Fort,

Resolved, That during the present session of the General Assembly, the President of the Senate may permit preaching in the Senate chamber, at such times as in his opinion, will not interfere with the official duties of the Senate.

Mr. Monroe, from the select committee appointed to wait upon and request of his Excellency, Governor Edwards, a copy of his Inaugural Address, reported that the committee had performed the duty assigned them, and received for answer, that the Governor would transmit the same to the Senate on to-morrow.

Message from the House of Representatives, by Mr. Gilpin:

MR. PRESIDENT :

"The following bill has been introduced in the House,

A bill for the relief of the collector of Perry county."

Also, certain resolutions of the last General Assembly, amending the constitution of the State of Missouri in relation to judicial tenures. Also,

Certain other resolutions of the same, amendatory of the constitution in relation to the incorporation of religious societies.

On motion, the Senate adjourned.

FRIDAY MORNING, *November 22, 1844.*

The Senate met pursuant to adjournment.

The President, in conformity with the resolution of the Senate, announced the following standing committees:

On the Judiciary—Messrs. Reese, Jones, Campbell, Miller and Powers.

On Education—Messrs. Welborn, Boggs, Harris, Fort and Hancock.

On Ways and Means—Messrs. Monroe, Acock, Blythe, Anderson and Campbell.

On Internal Improvements—Messrs. Acock, Gentry, Massey, Wolfskill and Netherton.

On the Penitentiary—Messrs. Fort, Lucas, Thompson, Ellis and Johnson.

On Claims—Messrs. Hancock, Snyder, Snell, Shelton and Detchemendy.

On the Militia—Messrs. Massey, O'Bryan, Harper, Calhoun and Polk.

On Accounts—Messrs. Anderson, Mills, Ellis, Rawlins and Thompson.

On Engrossed Bills—Messrs. Campbell, Jones, Harper, Ellis and Lucas.

On Enrolled Bills—Messrs. Rawlins, Acock, Snyder, Shelton and Calhoun.

On Elections—Messrs. Hudspeth, Welborn, Reese, Netherton and Mills.

On the Permanent Seat of Government—Messrs. Miller, Snell, Monroe, Wolfskill and Harris.

On Revised and Unfinished Business—Messrs. Polk, Powers, O'Bryan, Johnson and Hudspeth.

On Agriculture—Messrs. Blythe, Boggs, Detchemendy, Harper and Gentry.

The following bills were, on leave of the Senate, severally introduced, read a first time, and ordered to a second reading.

By Mr. Boggs.

"A bill to establish a fifth branch of the bank of the State of Missouri."

By Mr. Jones,

"A bill to repeal the 27th and 28th sections of "an act concerning costs in criminal cases," approved 27th February, 1843."

On motion of Mr. Monroe,

Resolved, That the House of Representatives be respectfully requested to permit the Senate to withdraw the concurrent resolution passed by the Senate on the subject of printing such number of the Governor's message, and Inaugural Address of Governor Edwards, as should be ordered by the two Houses, together with the message communicating the same.

On motion of Mr. Polk,

Resolved, That the names of the members constituting each standing committee of the Senate, be fixed at the back of the Secretary's table, for the inspection and convenience of the members of the Senate and House of Representatives, and that there be furnished to the chairman of each committee, by the Secretary, a list of the members composing the committee of which he is chairman.

Mr. Acock moved to reconsider the vote ordering the "amendments to the constitution of the State of Missouri, proposed at the twelfth General Assembly in relation to judicial tenures," to be engrossed and set for Monday next.

Mr. Ellis moved to lay the motion to reconsider on the table, which was determined in the negative.

The question then recurred on the motion to reconsider, and was determined in the affirmative, and

On motion of Mr. Massey,

The said Resolutions proposing amendments to the constitution, in relation to judicial tenures, were ordered to be engrossed and read a third time on Wednesday next, the 27th inst.

On motion of Mr. Monroe,

Resolved, That a select committee of three be appointed by the Chair, whose duty it shall be to contract for and superintend the job printing of the Senate for the present session.

Whereupon the President announced Messrs. Fort, Hudspeth and Campbell, as the committee under said resolution.

The following bill was read a second time:

"A bill for the benefit of Thomas R. Shaw,"

Which, on motion of Mr. Fort, was referred to the committee of Ways and Means.

The following was read a second time:

"A bill for the relief of P. J. Brown."

Mr. Ellis moved that it be considered as engrossed and read a third time tomorrow, which motion was by consent of the Senate withdrawn, and

On motion of Mr. Acock, the bill was referred to the committee of Ways and Means.

"A bill to repeal an act entitled, an act to provide for the sale of land for Taxes, approved, February 22nd, 1843,"

Was read a second time,

Mr. Fort moved to refer it to a committee of the whole,

Which was rejected.

Mr. Massey moved to refer it to a select committee,

Which was negatived.

Mr. Acock moved to refer it to the committee on the Judiciary,

Which was rejected.

Mr. Lucas moved to amend the bill, by adding the following, to come in as an additional section.

"Sec. 2. That the fifth section of an act entitled, an act to provide for levying, assessing and collecting the revenue, approved March 4th, 1835, be and the same is hereby revived and put in force."

Mr. Massey raised the point that the amendment was not in order.

The President decided that the amendment was in order.

From which decision Mr. Massey appealed to the Senate,

And upon the question being put, "shall the decision of the Chair stand as the judgment of the Senate?" it was determined in the affirmative.

Mr. Rawlins offered the following amendment to the amendment,

And the following as an additional section:

"This act to take effect and be in force from and after the fourth day of March next."

On motion the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The question on the adoption of the amendment to the amendment offered to

"A bill to repeal an act entitled an act to provide for the sale of land for Taxes, approved the 27th February, 1843."

Being under consideration,

The yeas and nays were called for and ordered, when the question was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Blythe, Fort, Hancock, Hudspeth, Johnson, Massey, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—16.

Nays.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Jones, Lucas, Miller, Mills, Netherton, O'Bryan and Snell—16.

There being an equal division in the Senate, the President gave the casting vote in the negative.

Mr. Lucas moved to amend the amendment by adding as follows:

"Sec. 3. That this act shall take effect from and after its passage.

Mr. Jones moved to add the following:

"And that the several collectors of the different counties in this State be required to pay into the State treasury, the several amounts due from, and collected by them, in the same manner as required before the repeal of this act,"

Which was accepted by Mr. Lucas.

The question then recurred on the adoption of the amendments to the amendments, and was determined in the affirmative.

Mr. Fort offered the following amendment to come in as a proviso:

Provided however, That this act shall not be so construed as to release any collector of any revenue, now due, or shall hereafter become due, from the citizens of any county in this State, or of the United States, or the citizens of any county, or of the United States, from the payment of the same.

On motion of Mr. Acock,

The bill with the amendments, was referred to the committee on the Judiciary with instructions, to report a bill which will enforce the collection of the revenue of 1844, and the revenue which had previously accrued.

Message from the House of Representatives, by Mr. Kirtley,

MR. PRESIDENT,

I am instructed to inform the Senate that the House of Representatives has rejected a bill from the Senate, entitled, "A bill to suspend the 5th section of the act, entitled "an act supplementary to an act entitled an act to concentrate the Supreme court, approved February 25th, 1843."

I am also instructed to inform the Senate that the House of Representatives has disagreed to the Senate's resolution that the two Houses go into joint meeting for the purpose of electing a librarian for the present session of the General Assembly.

A joint resolution in relation to reports and communications to the General Assembly, was read a second time, and

On motion of Mr. Reese,

The rule was suspended, the resolution considered as engrossed,
Read a third time and passed.

A bill to repeal certain laws,

Was read a second time, and

On motion of Mr. Boggs,

Laid on the table.

Message from the House of Representatives by Mr. Gilpin, their clerk,

MR. PRESIDENT:

I am instructed to inform the Senate that the House of Representatives accedes to the request of the Senate, and the resolution of the Senate for a joint committee on printing the message and Inaugural address is hereby returned, and

The following bills have been introduced into the House:

A bill to repeal the act entitled "an act to provide for the sale of land for taxes," approved Feb. 27th, 1843.

A bill to regulate the practice at law, and

A bill regulating the terms of the circuit courts.

Mr. Hancock asked and obtained leave of absence for Mr. Monroe.

The President laid before the Senate a communication from James L. Minor, Secretary of State, transmitting the annual report of the curators of the State University, which,

On motion, was referred to the committee on education.

On motion, the Senate adjourned.

SATURDAY MORNING, *November 23, 1844.*

The Senate met pursuant to adjournment.

Mr. Polk presented the petition of sundry citizens of Shannon county, praying for the divorce of Milley Owen, which

On motion, the reading being dispensed with,

Was referred to a select committee consisting of Messrs. Polk, Hudspeth and Hancock.

Mr. Anderson presented the petition of Messrs. Rea and Slack, inspectors of tobacco, at the State tobacco warehouse, praying for reimbursement for expenditures incurred by them for furnishing additional fixtures to said warehouse.

Which was read, and

Referred to the committee on claims.

The President laid before the Senate certain depositions in relation to the contested election in the twenty-first Senatorial district, which

On motion of Mr. Acock,

Were referred to the committee on elections.

Mr. Welborn, from the committee on education, made the following report:

The committee on education ask leave to return to the Senate the report of the curators of the State University of the State of Missouri, with the recom-

mendation that the same be printed.

Which was read and agreed to.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed,

Amendments proposed by the twelfth General Assembly to the constitution of the State of Missouri, in relation to judicial tenures, and

Amendments proposed by the twelfth General Assembly to the constitution of the State of Missouri, in relation to the incorporation of religious societies.

Mr. Gentry offered the following:

Resolved, That the committee appointed to superintend the job printing of the Senate shall give the same to the person who will perform the work as required, at the lowest price and best bid.

Mr. Hudspeth moved to lay the resolution on the table,

Which was rejected.

Mr. Welborn offered to amend by adding the following words,

"If such bids shall be deemed most advantageous by the committee."

Which was adopted.

The question being on the adoption of the resolution,

The yeas and nays being called for and ordered,

It was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Gentry, Harper, Harris, Jones, Lucas, Miller, Mills, O'Bryan, Reese, Shelton, and Snell—18.

Nays.—Messrs. Calhoun, Fort, Hancock, Hudspeth, Johnson, Massey, Netherton, Polk, Powers, Rawlins, Snyder, Thompson, Welborn and Wolfskill—14.

Absent, on leave, Mr. Monroe.

On motion of Mr. Hancock,

Resolved, That the Governor be requested to furnish the Senate with such evidence as may be in his possession, in relation to the publication of the amendments, proposed to the constitution, by the last General Assembly.

Mr. Miller, on leave of the Senate, introduced

A bill to provide for the collection of the revenue in the county of Cole,
Which was read a first time, and

On motion the rule was suspended, the bill read a second time ordered to be engrossed and read a third time on Monday next.

Message from the House of Representatives by Mr. Gilpin their clerk.

MR. PRESIDENT,

The House of Representatives has passed the following bills from the Senate:

A bill to appropriate money.

A joint resolution in relation to the abstract of the census.

The House has passed,

A bill for the relief of the collector of Perry county.

The House has adopted the following resolutions:

Resolved, That a committee of ten members be appointed on part of the House, to join such committee as shall be appointed on part of the Senate, on the subject of the revision of the statute laws of this State.

Resolved, That the hall of the House of Representatives be assigned on each Sabbath morning, during the session of the present General Assembly for public worship, free to all denominations of Christians.

Mr. Anderson gave notice that he would on Monday, or some other day du.

ing the session, ask leave to present a bill, to either amend or repeal the act concerning landlords and tenants in the county of St. Louis, passed at the last session of the General Assembly.

Mr. Fort, on his motion was excused by the Senate from serving on the committee to superintend the job printing of the Senate.

Whereupon, the President appointed Mr. Thompson in his place.

Mr. Hudspeth, on his motion, was excused from serving on the same committee.

Whereupon, the President appointed Mr. Jones in his place.

Messrs. Thompson and Jones, on their several motions, were excused from serving on the same committee.

Mr. Miller moved a reconsideration of the vote on the adoption of the resolution in relation to the committee appointed to contract for and superintend the job printing of the Senate,

Which was rejected.

Whereupon, the President appointed Messrs. Snyder and Blythe on the committee to contract for and superintend the job printing of the Senate.

On motion of Mr. Mills,

Resolved, That the communication from the Secretary of State, on the subject of members elected to this General Assembly, be taken up, and together with the credentials of the Senators presented at this session, be referred to the committee on elections.

Mr. Fort, introduced the following:

Resolved by the Senate, That the chairman of the committee on enrolled bills, be authorised to employ such number of assistant enrolling clerks, as may be necessary during the present session of the General Assembly, and dismiss the same when necessary.

Mr. Polk moved to amend by striking out the words "chairman of the" and

On motion of Mr. Acock,

The resolution and amendment, were laid on the table.

Mr. Fort gave notice that on Monday next, or at an early day thereafter, he would introduce into the Senate, a bill to repeal "an act to provide for the call of a convention.

On motion,

The Senate adjourned until ten o'clock on Monday next.

MONDAY MORNING, November 25, 1844:

The Senate met pursuant to adjournment.

Mr. Campbell, from the committee on Engrossed bills, reported as truly engrossed,

A bill to provide for the collection of the Revenue in the county of Cole, and
A memorial to Congress praying the donation of certain inundated lands, to the counties in which they are situated.

On motion of Mr. Fort,

The resolution from the House of Representatives in relation to the appointment of a joint committee, on the revision of the Statute laws of this State, was taken up and concurred in.

Whereupon, the President appointed Messrs. Reese, Jones, Campbell, Miller and Powers, the committee on part of the Senate.

On motion of Mr. Fort,

Resolved by the Senate, the House of Representatives concurring therein:

That a joint committee be appointed to consist of two members of the Sen-

ate, and — members of the House of Representatives, whose duty it shall be to draft and report to the General Assembly, rules and regulations defining the powers and duties of the joint committee on the revision of the laws.

Whereupon the President appointed Messrs. Fort and Campbell the committee on part of the Senate.

On motion of Mr. Hudspeth,

Resolved, By the Senate, that the committee appointed to contract for the printing the Governor's message, and the Inaugural Address of Governor Edwards, be instructed to contract for the printing of five hundred copies of each, in the French language, for the use of the French population of this State.

On motion of Mr. Massey,

Resolved, That a committee of seven, on the part of the Senate, be appointed to join such committee as may be appointed by the House, whose duty it shall be to take into consideration the organization of new counties at the present session of the General Assembly.

Mr. Rawlins introduced the following resolution :

Resolved, by the Senate, the House of Representatives concurring therein:

That the joint committee on the revision of the laws, be instructed to distribute the report of the commissioners, appointed by the last General Assembly to revise and digest the laws, among the standing committees of the two Houses, giving to each committee portions of such laws as appropriately belong to said committees.

Mr. Boggs moved to amend by striking out all that portion of the resolution after the word "therein," in the second line, and inserting in lieu thereof, the following:

That all bills reported to either House by the joint committee on the revision of the laws, shall be referred to the appropriate standing committees of each; and all bills reported from said committee to either House, shall be considered as having originated in such House.

The question was then taken on the amendment, when

The yeas and nays being called for and ordered,

It was decided in the affirmative by the following vote.

Yeas.—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Miller, Mills, Netherton, O'Bryan, Reese, Snell and Snyder.—22.

Nays.—Messrs. Acock, Hancock, Massey, Polk, Powers, Rawlins, Shelton Welborn and Wolfskill—9.

Absent, on leave, Mr. Monroe.

Absent, Mr. Thompson.

Mr. Massey moved to amend the resolution by striking out to the word "and" after the word "resolved."

Which amendment the Chair decided to be out of order.

Message from the House of Representatives by Mr. Huston:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate, that the following bills have been introduced into the House,

A bill for the organization of Mercer county.

A bill amendatory of an act to regulate proceedings on writs of *habeas corpus*, approved March 6th, 1835.

A bill to refund money to purchasers of land, wrongfully sold for taxes.

A bill to organize the county of Mississippi.

A bill to organize Highland county.

A bill regulating the terms of the circuit courts.

A bill to regulate the practice at law.

The question was then taken on the adoption of the resolution in relation to instructing the joint committee on the revision of the laws,

And was determined in the affirmative by the following vote.

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snell, Snyder and Welborn—28.

Nays.—Messrs. Massey, Rawlins and Wolfskill—3.

Absent, same as above.

On motion of Mr. Snyder,

Resolved, By the Senate, that two hundred copies of the report of the curators of the State University be printed for the use of the Senate.

On motion of Mr. Ellis,

Resolved, That the door-keeper is hereby directed to have suitable locks and keys fixed to the drawers in the Senate chamber.

A bill to repeal the 27th and 28th sections of an act concerning costs in criminal cases, approved 27th February, 1843,

Was read a second time.

Mr. Fort moved to lay the bill on the table, but

On leave of the Senate withdrew his motion,

Mr. Jones offered the following amendment,

To come in as an additional section,

And that the law repealed by said sections, concerning costs in criminal cases, be and the same is hereby revived and continued in full force.

This act to take effect from and after its passage.

Which was agreed to by the Senate.

Mr. Fort moved to refer the bill to the joint committee on the revision of the laws.

Mr. Mills moved to refer it to the committee on the judiciary,

Which was negatived, and

The question recurring on the reference of the bill to the joint committee on the revision of the laws, it was determined in the affirmative.

A memorial to Congress praying for the donation of certain inundated lands to the counties in which they are situated,

Was read a third time and passed.

Mr. Fort on leave of the Senate submitted the following, which was rejected,

Resolved, By the Senate that every bill or joint resolution, introduced into the Senate by its members of a general character, shall be referred to the committee on Revision, without motion as a rule of the Senate, unless otherwise ordered.

Message from the House of Representatives by Mr. Huston.

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate, that the following resolution has passed the House:

Resolved, That 2000 copies of the Bank report be printed for the use of the House; and that it be immediately transmitted to the Senate, with the accompanying documents, for the use of that body, with the request that it be returned to this House as early as practicable, and

The House has adopted the following resolution in relation to the printing of the bank report:

Resolved, That a select committee of two on the part of the House, be appointed to join such committee as may be appointed on part of the Senate to superintend the printing of the report of the committee, appointed by the Governor to examine into the condition of the bank, and

That Messrs. Carson and Bay constitute the committee on part of the House.
On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion the report of the committee appointed by the Governor to examine into the condition of the bank,

Was received and read.

Whereupon, the resolution from the House of Representatives, in relation to the appointment of a select committee to superintend the printing of the report of the committee, appointed to examine into the condition of the bank,

Was taken up and concurred in, and

The President appointed Mr. Fort, the committee on the part of the Senate, under said resolution.

On motion of Mr. Anderson,

Ordered, that one thousand copies of the said report of the committee appointed to examine into the condition of the bank, with the accompanying documents, be printed for the use of the Senate.

A bill to provide for the collection of the revenue in the county of Cole,

Was read a third time and passed.

On motion of Mr. Polk, the

Amendments to the constitution of the State of Missouri in relation to the incorporation of religious societies,

Were ordered to a third reading on Wednesday next.

Message from the House of Representatives by Mr. Gilpin their clerk,

MR. PRESIDENT,

The following bills have been introduced into the House of Representatives:

A bill for the relief of Mellina Hammond.

A bill to authorise George W. Hennikle and William C. Hennikle, to erect a water mill on Big Blue river in Jackson county.

A bill for the relief of Thornton Grimsley.

A bill to change the name of Niangua county to Dallas.

A bill to change the name of John Boggs.

A bill for the relief of Stephen W. Wood late sheriff of Franklin county.

A bill amendatory and explanatory of an act, to fix the time of holding circuit courts, approved February 24, 1843.

A bill to organize Lawrence county.

A bill for the relief of Ferdinand Kennett.

A bill for the relief of Corrick W. Aikin.

A bill for the relief of Margaret Ann Aikin.

A bill for the relief of William Parish.

A bill for the relief of John Wilson.

A bill for establishing and keeping in repair roads and highways in the county of Pike.

On motion the Senate adjourned.

TUESDAY MORNING, *November 26, 1844.*

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Huston.

MR. PRESIDENT,

I am instructed by the House of Representatives to inform the Senate, that the House of Representatives has adopted the following resolution:

Resolved by the House of Representatives, the Senate agreeing thereto: That the committee of revision of the two Houses, be and they are hereby permitted to use the room fitted up for the Supreme court for the sitting of said committee during the present session, so as not to interfere with any sitting of the said court.

Which resolution on motion of Mr. Jones,

Was taken up and concurred in.

The President announced Messrs. Massey, Snyder, Ellis, Thompson, Mills, Rawlins and Gentry as the committee on new counties, on the part of the Senate.

Mr. Monroe presented the petition of sundry citizens of Morgan county, praying the Legislature to relinquish to Adolph Caltner, the interest of the State in the escheat of the estate of Frederick Leowe, deceased, which was read and referred to a select committee consisting of Messrs. Monroe, Powers and O'Bryan.

Mr. Hancock presented a petition in relation to a certain State road in the county of Greene, which

On motion, the reading being dispensed with, was referred to a select committee, consisting of Messrs. Hancock, Massey and Acock.

Mr. Acock presented the proceedings of the Osage convention, met at Warsaw, on the 18th December, 1843, which were read and referred to the committee on internal improvements.

Message from the House of Representatives, by Mr. Houston.

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate, that the following resolution has been adopted by the House.

Resolved, That Messrs. Williams, Wilson of Randolph, Hughes of Platte, Sanford and Ballou be, and they are hereby added to the joint committee on the revision of the laws.

Mr. Hancock, from the committee on claims, to whom was referred the petition of Rea and Slack, inspectors of the State tobacco warehouse in the city of St. Louis, reported

A bill for the relief of Rea, Slack and others,

Which was read a first time, and

Ordered to a second reading.

Mr. Hudspeth, from the committee on elections, to whom was referred the credentials of Senators, elected at a general election held on the first Monday in August, A. D., 1844,

Reported that they had examined the same, found them to be in due form of law, and that the following persons were duly elected Senators at said election.

From the first Senatorial district—Pines H. Shelton.

From the fifth Senatorial district—Addison Reese.

From the tenth Senatorial district—Jesse B. Thompson.

From the eleventh Senatorial district—Owen Rawlins.

From the fifteenth Senatorial district—William Calhoun.

From the sixteenth Senatorial district—Hosea Powers.

From the twenty-third Senatorial district—Charles Jones.

From the twenty-fourth Senatorial district—James H. Lucas.

From the twenty-sixth Senatorial district—John Polk.

From the twenty-seventh Senatorial district—Aaron Snyder;

Which was read and agreed to.

The following bills were severally introduced, read a first time, and ordered to a second reading.

By Mr. Polk,

A bill to distribute the proceeds of the sales of the lands, donated to this State by Congress.

By Mr. Acock,

A bill to amend an act entitled an act to regulate marriages, approved February 20, 1835.

By Mr. Ellis,

Joint Resolutions concerning the annexation of Texas.

Mr. Snell on leave introduced

A bill for the relief of Harvey McClure,

Which was read a first time, the rule suspended read a second time, and referred to the committee on claims.

Mr. Detchemendy on leave, introduced

A bill to survey and mark out a State road.

Which was read a first time, and on motion

The rule was suspended, and the bill read a second and third time and passed.

Mr. Fort submitted the following:

Resolved, That a committee of—— members be appointed by the President of the Senate, whose duty it shall be to consider and report to the Senate, on such subjects as may be referred to them, and such subjects as the committee may deem necessary for the action of the General Assembly, touching the bank of the State of Missouri, and that it shall be known as the committee on the bank.

On motion of Mr. Massey,

The blank in the resolution was filled with "five," and

The resolution was adopted.

Whereupon the President announced Messrs. Fort, Johnson, Anderson, Boggs and Calhoun, as the committee under said resolution.

On motion of Mr. Fort,

Resolved, That the committee on Internal Improvements be instructed to enquire into the expediency of appropriating a portion of the proceeds of the sales of the 500,000 acres of land, donated to the State of Missouri, by the Government of the United States, for the purpose of constructing a macadamized road from Hannibal, in Marion county, to Brunswick, in Chariton county; and should the committee come to the conclusion that an appropriation from that fund, for the purpose above specified would be inexpedient at this time, that the committee enquire into the expediency of appropriating such amount of the three per cent. fund as shall be necessary to locate and establish said road.

Mr. Massey submitted the following:

Resolved, That the committee to contract for the printing for the Senate, be and they are hereby instructed to contract for the printing of bills in open work, and that the resolution adopted requiring bills to be printed in close work be rescinded.

Which was rejected.

Mr. Jones gave notice that he would on to-morrow, or some day thereafter,

introduce a bill to amend the ninth section of the fourth article of the law on administrations concerning the allowance of demands against estates, approved 21st March, 1835.

On motion of Mr. Reese,

Messrs. Fort and Welborn were added to the committee on revision.

On motion, the Senate adjourned until to-morrow morning, at ten o'clock.

WEDNESDAY MORNING, *November 27, 1844.*

The Senate met pursuant to adjournment.

The President presented a communication from the Governor, transmitting to the Senate, the evidence in his possession in relation to the publication of the amendments proposed by the twelfth General Assembly to the constitution of the State of Missouri.

Which was read..

Mr. Hancock, from the committee on claims, to whom was referred "a bill for the relief of Harvey McClure,"

Reported it back to the Senate with the following amendment:

"Strike out the word "twenty," in the fourth line, and insert in lieu thereof the word "ten," and recommended the passage of the same as amended.

Which was read and agreed to.

Mr. Campbell from the joint committee on revision,

Reported that the committee had had under consideration bills of the following titles, to wit:

An act regulating the action of account.

An act concerning boatmen.

An act concerning apprentices.

An act concerning advertisements.

And reported the same to the senate without amendment. Also,

An act concerning arbitrations and references, and recommended to the Senate the following amendment:

Strike out the 34th section—also a bill entitled

An act to provide for building bridges,

And recommend that the same be amended as follows:

Strike out the 18th section.

Which report was read and agreed to.

The following bills were severally read a first time and ordered to a second reading.

An act regulating the action of account.

An act concerning advertisements.

An act concerning apprentices.

An act concerning arbitrations and references.

An act concerning boatmen.

An act to provide for building bridges.

Mr. Hancock, from the select committee, to whom was referred a petition in relation to a certain State road in the county of Greene, reported

A bill to change a certain portion of a State road.

Which was read a first time, and ordered to a second reading.

Mr. Polk, from the select committee, to whom was referred the petition of sundry citizens of Shannon county, praying for the divorce of Milley Owen, reported

A bill for the relief of Milley Owen.

Which was read a first time and ordered to a second reading.

On motion of Mr. Thompson,

Messrs. Wolfskill and Polk were added to the committee on new counties.

On motion of Mr. Anderson,

Resolved, That a committee of five members be appointed to take into consideration the message of the Governor, communicated to the Senate on the 18th of this month, for the purpose of referring the several subjects therein contained to the appropriate committees, and report the same to the Senate.

Whereupon the President announced Messrs. Anderson, Massey, Jones, Ellis and Lucas as said committee.

Mr. Jones gave notice that on Monday next, or some day thereafter, he would introduce a bill to amend the eighth article on the law of administration, concerning appeals from the county courts to the circuit courts, approved March 21st, 1835, so that no bill of exceptions shall be required to entitle a party to take an appeal from the decision of a county court to the circuit court.

Mr. Massey, on leave, introduced

A bill to provide for assessing the taxable property of this State and for making lists of the same.

Which was read a first time, and

On motion, the rule being suspended, was read a second time.

Mr. Massey moved to refer the bill to the committee of Ways and Means, and that it be printed.

Mr. Fort moved to amend the motion by adding the following:

And that the committee of Ways and Means be instructed to retain said bill until they have an opportunity to compare the same, with the bill prepared by the commissioners on revision.

Which was rejected.

The question then recurred on the motion to refer and print, and was determined in the affirmative.

Mr. Polk on leave of the Senate, introduced,

A bill concerning bank directors.

Which was read a first time, and ordered to a second reading.

Mr. Fort submitted the following,

Which was adopted.

Whereas the late Governor of the State of Missouri recommended the 28th inst., (to-morrow,) to be observed by the people of the State of Missouri, as a day of *thanks giving*.

Therefore *resolved*, by the Senate, that when it adjourns for the day, it shall stand adjourned, until Friday, and that the Clergy, or the preachers of the Gospel now in the City, be requested to perform divine service in the Senate chamber on to-morrow, commencing at 11 o'clock, A. M.

Mr. Monroe, on leave, of the Senate introduced

A bill supplemental to an act entitled "an act to survey and mark out the southern boundary line of this State, approved February 11, 1841."

Which was read a first time, and on his motion the rule was suspended, the bill read a second time, considered as engrossed, read a third time and passed.

Message from the House of Representatives, by Mr. Huston:

MR. PRESIDENT,

I am instructed by the House of Representatives to inform the Senate, that the following bills have been introduced into the House:

A bill divorcing Polly Nichols, from her husband John Nichols.

A bill to repeal an act approved, Feb. 24, 1843, entitled an act amendatory of an act to regulate marks and brands, approved Feb. 26, 1835.

A bill for the relief of Russell W. Moss, late sheriff of Shelby county.

A bill to organize the county of Atchison, and to define the boundaries of the same.

A bill to organize the county of Harrison.

A bill for the relief of Isaac Peervy, collector of Barry county.

A bill to organize Oregon county.

A bill to organize the county of Dunklin.

A bill for the relief of Samuel D. Lucas.

A bill for the relief of the collector of Wayne county.

A bill to establish a State road from John Warren's in Jefferson county, to Jackson in Cape Girardeau co.

A bill for the relief of Peter Apperson.

A bill to incorporate the south-eastern levying and draining company of Missouri.

A bill for the relief of the collector of Jefferson county, and

A bill for the repeal of the stray law in Jefferson county.

The following bill has been rejected by the House:

A bill to regulate the appointment of Assessors of the revenue.

On motion of Mr. Monroe,

Resolved, That a committee of five be appointed to whom shall be referred so much of the Governor's message, as relates to the annexation of Texas to the United States and the occupation of Oregon.

Mr. Acock submitted the following:

Resolved by the Senate, That the committee on Internal improvements, be instructed to report a bill to apply the proceeds of the 500,000 acres of land, donated to the State of Missouri for purposes of internal improvements as follows:

1. For the improvement of the Osage river dollars..
2. For the improvement of North Grand river dollars.
3. For the improvement of White river dollars.
4. For making a road from Hannibal in Marion county, to some convenient point on the Missouri river dollars.
5. For making a road across the big swamp in the south-eastern part of this State, dollars.

And that said committee report what amount in their opinion should be applied to each object.

Mr. Reese moved to amend as follows:

And dollars for the improvement of the Grand Chariton river.

When on motion of Mr. Rawlins,

The resolution and amendment were referred to the committee of the whole.

A bill for the relief of Rea, Slack and others,

Was read a second time, considered as engrossed, the rule suspended, and read a third time and passed.

On motion,

The Senate adjourned till two o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President announced Messrs. Monroe, Fort, Ellis, Welborn and Wolfskill as the committee under the resolution adopted in reference to so much of the Governor's message as relates to Texas and Oregon.

On motion of Mr. Massey,

Two members were added to the said committee, consisting of Messrs. Netherton and Jones.

On motion of Mr. Monroe,

The amendments proposed to the constitution of the State of Missouri by the twelfth General Assembly were taken up and read a third time,

On motion a call of the Senate was ordered when all the members were

found to be present, except Messrs. Detchemendy, Hudspeth, Miller, Nether-ton and Shelton, thereupon,

On motion the Sergeant at arms was despatched after the absentees, when
On motion of Mr. Monroe,

The said constitutional amendments were passed over for the present,

A bill to establish a fifth branch of the bank of the State of Missouri,

Was read a second time, and

On motion of Mr. Boggs,

Referred to the committee of the whole.

A bill to distribute the proceeds of the sales of the land donated to this State
by Congress,

Was read a second time, and

On motion, referred to the committee of the whole.

A bill to amend an act entitled an act regulating marriages, approved February
20th, 1835,

Was read a second time, and

Referred to the committee on the judiciary.

Amendments to the constitution of the State of Missouri, in relation to the
incorporation of religious societies,

Were taken up and read a third time.

The question was taken on the adoption of said amendments which are as fol-
lows:

Resolved, by the General Assembly of the State of Missouri, as follows:

§ 1. That the following be proposed as an amendment to the constitution of
the State of Missouri, to wit: "provided however, that persons, members of re-
ligious societies may be incorporated for the purpose of holding sufficient ground,
not exceeding, in incorporated towns or cities, one lot, in villages, two lots, in
the country ten acres, for the erection of a church, or meeting house, parson-
age and burial ground, for the benefit of the society."

To be added at the end of the fifth section of the thirteenth article.

And a constitutional majority of two thirds agreeing thereto, the same were
adopted by the following vote:

Yeas.—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy,
Ellis, Fort, Hancock, Harper, Harris, Johnson, Jones, Mills, Monroe, Nether-
ton, O'Bryan, Powers, Rawlins, Reese, Snyder, Welborn and Wolfskill—23.

Nays.—Messrs. Blythe, Gentry, Hudspeth, Lucas, Massey, Polk, Snell and
Thompson.—8.

Absent, Mr. Miller.

Sick, Mr. Shelton.

The house bill entitled a bill for the relief of the collector of Perry county.

Was read a first time, and ordered to a second reading.

On motion of Mr. Fort,

The amendments to the constitution of the State of Missouri in relation to Ju-
dicial tenures,

Were taken up.

Mr. Boggs moved to take the vote on said amendments by sections,

Which was decided in the affirmative.

On motion of Mr. Monroe,

A call of the House was ordered, when all the Senators answered to their
names except Mr. Shelton.

The President presented a communication from the Secretary of State in re-
lation to weights and measures, which, with a copy of a letter from the Treasu-
ry department of the United States, was

Referred to the committee on Agriculture.

Also, a communication from the Auditor of Public Accounts, transmitting his biennial report, which

On motion, the reading being dispensed with,

Was referred to the committee of Ways and Means,

And one thousand copies ordered to be printed for the use of the Senate.

Messrs Campbell and Blythe on their several motions were excused from serving on the committee appointed to contract for and superintend the job printing of the Senate.

The President appointed Messrs. Miller and Lucas on said committee.

Mr. Fort moved to adjourn, which was negatived.

Mr. Miller, on his motion, was excused from serving on the committee appointed to contract for and superintend the job printing of the Senate, and

The President appointed Mr. Massey in his place.

On motion the Senate adjourned until Friday morning at ten o'clock.

FRIDAY MORNING, *November 29, 1844.*

The Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Huston.

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate that the following bills have been introduced into the House:

An act to McAdamize a road across the big swamp, between the counties of Scott and Cape Girardeau.

An act to authorize the administrators of the estate of Nicholas Burkhardt, deceased, to sell real estate.

An act to extend the corporate limits of the town of Columbia in Boone county, and for other purposes.

An act to authorize Edward Berry to build a mill dam across South Grand river.

An act for a change of a State road.

The following bill passed the House:

An act to authorize John Jacobs, treasurer of Shelby county to draw certain monies belonging to said county.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled,

An act to appropriate money.

Also, a joint resolution authorizing the Secretary of State to withhold the returns of his abstract of the census until he shall have received complete returns from all the counties in the State.

Mr. Snyder from the select committee, appointed to contract for and superintend the job printing of the Senate,

Reported, that the committee had contracted with Calvin Gunn for the printing of four thousand copies of Governor Marmaduke's message for \$20,00 and with James Lusk for a like number of the Inaugural address of Governor Edwards, for \$46,00.

Which was read.

Mr. Polk gave notice that he would on Monday or some subsequent day, ask leave to introduce a memorial to Congress, on the subject of the Oregon territory, also

Gave notice that he would on Saturday, or some subsequent day, ask leave to

introduce a bill respecting circuit and supreme judges.

Mr. Acock on leave of the Senate introduced,

An act to authorise guardians of minors, idiots and lunatics, to receive and remove from the State any property to which such ward may be entitled,

Which was read a first time, the rule suspended, read a second time, considered as engrossed, read a third time and passed.

The following bills were severally read a second time, ordered to be engrossed and read a third time on Monday next.

A bill for the relief of Milly Owen, and

A bill concerning bank directors.

The following was read a second time, ordered to be engrossed and read a third time to-morrow:

A bill to change a certain portion of a State road.

The following bills were severally read a second time, and referred to a committee of the whole:

An act regulating the action of account.

An act concerning advertisements.

An act concerning apprentices.

An act concerning arbitrations and references, and

An act concerning boatmen.

The following was read a second time, and referred to the committee on internal improvements.

An act to provide for building bridges, and

On motion of Mr. Monroe, the above bills were severally ordered to be printed.

On motion, the amendments to the constitution, in relation to judicial tenures were taken up.

Mr. Monroe, moved a call of the house which was ordered, when the roll being called, all the Senators answered to their names except Mr. Detchemendy, absent; and Mr. Shelton sick.

The following was read a third time and passed:

A bill for the relief of Harvey McClure.

Mr. Jones on leave of the Senate, introduced,

A bill to amend the 9th section of the 4th article of the administration law, concerning the allowance of demands against estates, approved March 21st, 1835,

Which was read a first time and ordered to a second reading.

Mr. Jones from the committee appointed to draft rules for the government of the Senate, reported the following:

RULES OF THE SENATE.

MR. PRESIDENT :

The committee who were appointed by the President to draft rules for the government of the Senate, would most respectfully recommend to the consideration of the Senate, the following rules and orders for the government of the Senate during its present session.

CHARLES JONES, *Chairman.*

RULES AND ORDERS FOR THE GOVERNMENT OF THE SENATE OF THE STATE OF MISSOURI.

SEC. 1st. The President shall take the chair every day at the hour to which the Senate shall have previously adjourned, and on the appearance of a quorum,

shall call the House to order, and cause the journal of the preceding day to be read, but a smaller number may adjourn from day to day, and compel the attendance of absent members, and any two members, at any time after the hour has arrived to which the Senate has adjourned, may have a call of the House, and have the names of absentees entered on the journal.

2nd. It shall be the duty of the President to preserve order, and he may speak on all questions of order in preference to any other member, rising from his seat for that purpose, and shall decide on all questions of order subject to an appeal to the House.

3rd. All questions shall be put in this form:

You who are of opinion (as the case may be) say aye: of the contrary opinion say no. And in doubtful cases the President may direct, or any member call for a division.

4th. All committees shall be nominated by the President, unless otherwise directed by the House, in which case they shall be elected by ballot.

5th. Every member present when a question is taken shall vote, unless the Senate for special reasons shall excuse him.

6th. Every motion shall be reduced to writing, if the President or any member require it.

7th. A motion to adjourn shall always be in order, unless a member is speaking, and shall be decided without debate, and no member shall leave his seat after a question of adjournment is put, nor until the President shall have left the chair.

8th. When a member is about to speak, he shall rise and respectfully address himself to the President, and when a member is speaking, no member shall pass between him and the Chair.

9th. The President shall preserve decorum, and if any member transgress the rules of the House, the President shall, or any member may call to order, in which case, the member called to order, shall immediately sit down, unless permitted to explain, and the House, if appealed to, shall decide on the case.

10th. No member shall speak more than twice on any one question without leave of the Senate.

11th. When a motion is made and seconded, it shall be stated by the President, or being in writing it shall be handed to the Chair, and read aloud by the President or Secretary before debated.

12th. After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in possession of the Senate, but may be withdrawn at any time before a decision or amendment, by consent of the Senate.

13th. While a question is before the Senate, no motion shall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.

14th. The previous question shall be put in these words: Shall the main question be now put? It shall be admitted only on demand of two members, and sustained by vote of two thirds of the House, and until decided, shall preclude all amendments and debate on the main question.

15th. Any member may call for a division of the question, when the same shall admit of it.

16th. No committee shall sit during the sitting of the Senate, without special leave.

17th. The first reading of a bill shall be for information, and if objections be made to it, the question shall be: Shall the bill be rejected? If no objection be made, or if the question to reject be lost, the bill shall go to its second reading without a question.

18th. Upon the second reading of a bill, the President shall state it is ready for commitment or engrossment, and if committed, then the question shall be whether to a standing or select committee, or committee of the whole? And the House shall determine on what day; but if the bill be ordered to be engross-

ed the House shall appoint the day when it shall be read a third time.

19th. A bill after committment or reports thereof, may be committed at any time before its passage.

20th. In forming a committee of the whole, the President shall leave the chair, and appoint a chairman to preside.

21st. The President may at any time leave the chair and call any member of the Senate thereto, who shall be President of the Senate for the time being, and the President shall at pleasure resume the chair, and if the person called to the chair shall object, and the President insists, the question shall be decided by the Senate.

22nd. When a motion is made for an amendment of any bill, or resolution, the mover's name shall be inserted on the journal.

23rd. The rules and proceedings of the House, shall be observed in committee of the whole, so far as they may be applicable.

24th. No member shall be permitted to vote on a subject, in which he is immediately interested.

25th. No member in the minority of any vote declared, shall have a right to move a re-consideration thereof.

26th. No member shall call for the ayes and noes on any question, after the same has been declared to be a vote by the President.

27th. Any member may excuse himself from serving on a committee, if at the time of his appointment, he shall be a member of three other committees.

28th. When any petition, memorial, or remonstrance is presented to the Senate, the person presenting the same shall give a concise statement of the purport thereof, and it shall be disposed of, according to its character without reading, unless the reading thereof be required by two members.

29th. No bill shall pass the House until a third reading, nor shall any bill be read more than once in any one day, unless otherwise directed by the Senate.

30th. If two or more members happen to rise at once, the President shall name the person who is to speak first.

31st. No standing rule of the House shall be revised or amended without one days notice being given of the motion thereof.

32nd. No member shall absent himself from the service of the Senate without leave is first obtained, and in case a less number than a quorum of the Senate shall convene, they are hereby authorised to send the doorkeeper, or any person or persons by them authorised, for any absent member or members as the majority of such members present shall agree at the expense of such absent member or members respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened shall judge sufficient.

33rd. It shall be the duty of the doorkeeper to keep order in the lobby, and to obey the orders of the Senate from time to time.

34th. It shall be the duty of the Secretary to keep an exact journal of all the proceedings of the Senate, and shall from time to time be subject to such further orders as the Senate may direct.

35th. No persons except the members of the House of Representatives, their clerk, the Governor, Secretary of State Judges of the Supreme and Circuit Courts, Attorney General and members of Congress, shall be admitted within the bar of the Senate, during the sitting of the same, unless invited by a member.

36th. On the discussion of any business, which may in the opinion of a member require secrecy, the President shall order the gallery to be cleared, and during such discussion the doors shall remain shut unless otherwise directed by the Senate.

37th. When the Senate shall think their business requires it, they shall elect one or more enrolling and engrossing clerks for the House, who shall when elected, be subject to the same rules as the Secretary of the Senate now is.

38th. Any member voting in the minority on any subject, and protesting

against the vote of the House, may have his protest entered on the journals if the language and tenor of such protest would have been admissible in the discussion of the subject.

39th. That in all cases not provided for, by the above rules, the Senate shall be governed by the rules as laid down in Jefferson's Manual.

ORDER OF BUSINESS.

1. Petitions, memorials and remonstrances.
2. Reports from standing committees.
3. Reports from select committees.
4. Propositions and motions.
5. Second reading of bills.
6. Engrossed bills.
7. Bills reported and other business lying on the table.
8. Orders of the day.

Which was read, agreed to, and ordered to be printed.

On motion,

The Senate adjourned until to-morrow morning at ten o'clock.

SATURDAY MORNING, November 30, 1844.

The Senate met pursuant to adjournment.

Mr. Campbell from the committee on engrossed bills reported as truly engrossed.

A bill to change a certain portion of a State road.

A bill to Divorce Milly Owen.

A bill respecting bank directors.

Mr. Hancock from the committee on claims to whom was referred the House bill entitled,

A bill for the relief of the collector of Perry county.

Reported it back without amendment, and recommended its passage.

Which was received and read.

The following bills were severally introduced read a first time, and ordered to a second reading.

By Mr. Massey on leave,

A bill respecting Grand Jurors, and

A bill in relation to locating State roads.

By Mr. Polk, on leave,

A bill respecting Circuit Judges.

Message from the House of Representatives by Mr. Huston assistant clerk.

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate, that the following bills have passed the House.

A bill for the relief of William Thrailkill.

An act to repeal an act to provide for the sale of land for the taxes, approved Feb. 27, 1843; also

That Messrs. O'Bannon, Clark, Maupin, Roberts, Owens and Boas, constitute the standing committee of the House on enrolled bills.

The following bills have been introduced into the House.

A bill for the relief of the collectors of the revenue of this State.

An act providing for the security of creditors against the frauds of debtors in certain cases.

An act for the relief of Preston Mu'lineaux, sheriff of Adair county.

An act for the relief of George B. Tolson.

An act for the relief of the collector of Cape Girardeau county.

An act to define the boundaries of Putnam county, and to organize the same.

An act for the relief of Marvin Munger.

An act for the relief of R. D. Austen and W. K. Van Arsdale of Monroe county.

An act for the relief of William J. Tutt, collector of Morgan county.

An act to curtail the number of justices of the peace in this State, and to extend the jurisdiction of magistrates and constables.

An act for the relief G. W. Taylor collector of Buchanan county.

An act to organize the county of DeKalb.

An act for the distribution of the monies arising from the 500,000 acres of land.

An act to survey and mark out a State road from Bolivar in Polk county to Fort Scott.

An act for the relief of Nathaniel Harman.

An act to organize the county of Gentry.

An act to organize the county of Schuyler.

An act to organize Knox county.

An act to regulate fees in certain cases.

An act to organize Ashley county.

An act to provide for an additional justice of the peace for St. Louis county.

An act to define the boundary line between Washington and Crawford counties.

An act amendatory of an act incorporating the St. Louis fire company.

An act for the relief of Benjamin Gregg; also the following joint resolutions:

Joint resolution in relation to distributive shares of the proceeds of the sales of the public lands of the U. S.

Joint resolution in favor of the annexation of Texas.

Joint resolution in favor of R. Kerr.

The following joint resolutions were read a second time.

Joint resolutions in relation to the annexation of Texas.

Mr. Monroe moved to refer them to the select committee on the annexation of Texas and occupation of Oregon.

Mr. Ellis moved to refer them to committee of the whole.

Which was determined in the affirmative.

Mr. Massey on leave of the Senate, submitted the following:

Resolved, That the Secretary of State, be and he is hereby required to report to the Senate as soon as he can, abstracts of the census so far as received.

Which was rejected.

A bill to amend the 9th section of the 4th article of the administration law, concerning the allowance of demands against estates, approved 21st March, 1835,

Was read a second time, and referred to the joint committee on revision.

The following bills were severally read a third time, and passed.

A bill to change a certain portion of a State road.

Also, a bill from the House of Representatives, entitled,

A bill for the relief of the collector of Perry county.

On motion of Mr. Ellis,

The committee of Ways and Means, was discharged from the further consideration of

A bill for the relief of B. J. Brown,

Which was read a third time and passed.

A bill from the House of Representatives, entitled,
An act to authorise John Jacobs treasurer of Shelby county, to draw certain monies belonging to said county,
Was read a first time, and
On motion of Mr. Reese, the rule was suspended, and the bill read a second and third times and passed.
Mr. Fort, asked and obtained leave of absence for Mr. Johnson, and
On motion, the Senate adjourned, until Monday morning at ten o'clock.

MONDAY MORNING, *December 2, 1844.*

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Huston.

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate, that the House has adopted the following resolution:

Resolved, That the clerk inform the Senate that the House is ready to go into meeting for the election of bank officers; also,

The Speaker of the House of Representatives has signed the accompanying enrolled bill, entitled

An act to appropriate money. Also,

"A joint resolution in relation to the abstract of the census."

Whereupon the aforesaid bill and resolution were signed by the President of the Senate.

—Mr. Reese, from the committee on revision, reported that the committee had had under consideration

An act concerning coroners.

And had instructed him to report the same with an amendment to come in at the end of the 3rd section. Also,

An act to provide for the erection of county buildings.

Also, an act concerning contracts and promises,

And had instructed him to report the same without amendment.

Also, an act respecting constables.

And had instructed him to report the same with an amendment, to come in as a tenth section.

Which report was read and agreed to, when

The following bills were severally read a first time, the rule suspended, read a second time, referred to a committee of the whole and ordered to be printed.

An act to provide for erecting county buildings.

An act concerning coroners.

An act concerning constables,

And the following was referred to the committee on the judiciary.

An act concerning contracts and promises.

Mr. Lucas moved to suspend the rules and take up a bill from the House of Representatives, entitled,

An act to repeal an act to provide for the sale of lands for taxes, approved Feb. 27th, 1843.

Which was rejected.

Mr. Jones submitted the following:

Resolved by the Senate, That the following be appended to the order of business, as adopted by the Senate, as follows:

8th. Bills passed, and other business acted on by the House of Representatives.

And that the 8th rule under the order of business be considered the 9th.

Which was read, and

Under the rule lies upon the table one day.

The following bills were severally read a second time, referred to a committee of the whole and ordered to be printed.

A bill concerning grand jurors.

A bill respecting circuit judges.

A bill in relation to locating State roads.

The following was read a third time;

A bill for the relief of Milley Owen.

Mr. Acock moved to refer it to the committee on the judiciary,

Which was rejected.

The question then recurred on the passage of the bill,

Which was rejected by the following vote:

The yeas and nays being called for and ordered,

Yeas.—Messrs. Anderson, Boggs, Fort, Hancock, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Rawlins, Reese, Thompson and Welborn—14.

Nays.—Messrs. Acock, Blythe, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Snell, Snyder and Wolfskill—18.

Sick, Mr. Shelton.

A bill concerning bank directors,

Was read a third time

Mr. Polk moved to amend the bill by way of rider as follows:

Fill the blank with "five cents;

Which was read a first time, and on motion

Of Mr. Hancock, the bill and rider were indefinitely postponed.

Amendments to the constitution of the State of Missouri in relation to judicial tenures,

Were taken up, and

On motion of Mr. Monroe,

A call of the House was ordered, when all the Senators answered to their names.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

Amendments to the constitution of the State of Missouri, in relation to judicial tenures being under consideration.

On motion, a call of the House was ordered, when the number of Senators answering to their names was 29.

Absent Messrs. Monroe, Netherton and Reese—3.

Sick, Mr. Shelton.

Whereupon the sergeant at arms was despatched for the absentees.

Mr. Ellis moved to lay the said constitutional amendments on the table.

Which was determined in the negative by the following vote:

The yeas and nays being called for and ordered,

Yeas.—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harris, Lucas, Miller, Mills, Netherton, O'Bryan, Reese and Snell—15.

Nays.—Messrs. Acock, Blythe, Detchemendy, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Powers, Rawlins, Shelton, Snyder, Thompson, Welborn and Wolfskill—18.

Mr. Boggs moved to postpone the further consideration of the said constitutional amendments until Wednesday next.

Which was determined in the affirmative by the following vote.

Yeas.—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Jones, Lucas, Miller, Mills, Netherton, O'Bryan, Reese and Snell—19.

Nays.—Messrs. Acock, Hancock, Hudspeth, Johnson, Massey, Monroe, Polk, Powers, Rawlins, Shelton, Snyder, Thompson, Welborn and Wolfskill—14.

Mr. Reese, on leave, of the Senate submitted the following:

Resolved by the General Assembly of the State of Missouri:

That the joint committee on revision be, and they are hereby authorised, to employ one clerk, whose duty it shall be, when not engaged on the business of of said committee, to assist the engrossing and enrolling clerks of the two Houses.

Which was read, and under the rules, lies one day on the table.

On motion of Mr. Ellis,

The Senate repaired to the Hall of the House of Representatives for the purpose of electing a President and Directors for the bank of the State of Missouri and its branches.

The President of the Senate took the Speaker's chair and announced the object of the meeting.

Nominations for the office of president of the bank of the State of Missouri at St. Louis, being in order,

Mr. Fort nominated Ferdinand Kennett.

Mr. Welborn nominated Robert Campbell.

No other nominations being made for president of the bank,

On the first ballot there appeared,

For Mr. Kennett—76 votes.

For Mr. Campbell—54 votes.

The Senators voted as follows:

For Mr. Kennett—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Lucas, Mills, Netherton, O'Bryan, Snell and Snyder—19.

For Mr. Campbell—Messrs. Acock, Hancock, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Thompson, Welborn and Wolfskill—14.

Whereupon Mr. Ferdinand Kennett having received a majority of the votes given, was declared duly elected president of the bank of the State of Missouri, for the ensuing two years.

Nominations for directors of the bank of the State of Missouri, being now in order, was announced by the President of the Senate.

Mr. Stringfellow nominated William L. Sublette.

The vote being taken there appeared,

For Mr. Sublette—129 votes.

For Mr. Fort—1 vote.

The Senators voted as follows:

For Mr. Sublette—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth,

Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill--33.

Whereupon Mr. William L. Sublette, having received a majority of the votes given, was declared duly elected a director for the two years ensuing.

Nominations being again in order,

Mr. Fort nominated Edward Walsh,

The vote being taken there appeared,

For Mr. Walsh—128 votes.

For Mr. Fort—1 vote.

The Senators voted as follows:

For Mr. Walsh—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—33.

Whereupon, Mr. Edward Walsh, having received a majority of the votes given, was declared duly elected a director of the bank of the State of Missouri for the ensuing two years.

Nominations being again in order,

Mr. Welborn nominated Robert Campbell.

The vote being taken there appeared,

For Mr. Campbell—126 votes.

For Mr. Fort—2 votes.

The Senators voted as follows:

For Mr. Campbell—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—31.

For Mr. Fort—Mr. Gentry—1.

Absent—Mr. Snell.

Whereupon, Mr. Robert Campbell having received a majority of the votes given, was declared duly elected a director for the two years next ensuing.

Nominations being again in order.

Mr. Welborn nominated O. D. Filley.

The vote being taken there appeared,

For Mr. Filley—126 votes.

The Senators voted as follows:

For Mr. Filley—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—31.

Absent, Messrs. Gentry and Snell.

Whereupon, Mr. O. D. Filley, having received a majority of the votes given, was declared duly elected a director of the bank of the State of Missouri for the ensuing two years.

Nominations being again in order,

Mr. Boas nominated Thomas M. Horine.

The vote being taken there appeared,

For Mr. Horine—129 votes.

The Senators voted as follows:

For Mr. Horine—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—33.

Whereupon Mr. Thomas M. Horine having received a majority of the votes given, was declared duly elected a director of the bank for the ensuing two years.

Nominations being again in order,

Mr. Monroe nominated Ernest Anglerodt.

The vote being taken, there appeared,

For Ernest Anglerodt—127 votes.

The Senators voted as follows:

For Mr. Anglerodt—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—32.

Absent, Mr. Gentry.

Whereupon Mr. Ernest Anglerodt having received a majority of the votes given, was declared duly elected a director of the bank of the State of Missouri for the ensuing two years.

Nominations being again in order,

Mr. Anderson nominated William T. Christy.

Mr. Welborn nominated George W. Huston.

The vote being taken, there appeared,

For Mr. Christy—68 votes.

For Mr. Huston—61 votes.

The Senators voted as follows:

For Mr. Christy—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harris, Lucas, Miller, Mills, Netherton, O'Bryan, and Snell—15.

For Mr. Huston—Messrs. Acock, Blythe, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—18.

Whereupon Mr. William T. Christy, having received a majority of the votes given, was declared duly elected a director of the bank for the two years ensuing.

Nominations being again in order,

Mr. Anderson nominated John O'Fallon.

The vote being taken, there appeared,

For Mr. O'Fallon—122 votes.

For Mr. Fort—3 votes.

For Mr. Shelton—1 vote.

For Mr. Agnew—1 vote.

For Mr. Dent—1 vote.

For Mr. McDearman—1 vote.

For Mr. Allen—1 vote.

The Senators voted as follows:

For Mr. O'Fallon—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—31.

For Mr. Fort—Mr. Polk—1.

Absent—Mr. Thompson.

Whereupon Mr. John O'Fallon having received a majority of the votes given, was declared duly elected, a director of the bank for the ensuing two years.

Nominations being again in order,

Mr. Welborn nominated William Hardin.

Mr. Williams of the House, nominated Robert A. Barnes.

The vote being taken there appeared,

For Mr. Hardin—75 votes.

For Mr. Barnes—52 votes.

The Senators voted as follows:

For Mr. Hardin—Messrs. Acock, Blythe, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn—20.

For Mr. Barnes—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Lucas, Mills, O'Bryan, Snell and Wolfskill—13.

Whereupon Mr. William Hardin, having received a majority of the votes given, was declared duly elected a director of the bank, for the ensuing two years.

Nominations being again in order,

Mr. Fort nominated Thomas Barnes.

Mr. Welborn nominated Nicholas Tiernan.

The vote being taken there appeared,

For Mr. Barnes—83 votes.

For Mr. Tiernan—44 votes.

The Senators voted as follows:

For Mr. Barnes—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan, Snell and Wolfskill—20.

For Mr. Tiernan—Messrs. Acock, Hancock, Jones, Massey, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn—13.

Whereupon Mr. Thomas Barnes having received a majority of the votes given, was declared duly elected a director of the bank of the State of Missouri for the ensuing two years.

On motion of Mr. Polk, the two houses then took a recess, until to-morrow morning at half past ten o'clock.

TUESDAY MORNING, *December 3, 1844.*

The two houses assembled at half past ten o'clock.

The President announced that nominations for president of the branch bank at Fayette, were in order.

Mr. Rawlins nominated John J. Lowry.

The vote being taken, there appeared,

For Mr. Lowry—127 votes.

For Mr. Griffin—1 vote.

The Senators voted as follows:

For Mr. Lowry—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—32.

Absent, Mr. Netherton.

Whereupon Mr. John J. Lowry, having received a majority of the votes given, was declared duly elected president of the branch bank of the State of Missouri at Fayette, for the ensuing two years.

Nominations for directors of the branch bank at Fayette being in order,

Mr. Stringfellow nominated Alford W. Morrison,

The vote being taken, there appeared,

For Mr. Morrison—125 votes.

The Senators voted as follows:

For Mr. Morrison—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—32.

Absent, same as above.

Whereupon Mr. Alford Morrison having received a majority of the votes given, was declared duly elected a director of the branch bank at Fayette for the ensuing two years.

Nominations being again in order,

Mr. Fort nominated Thomas Jackson.

The vote being taken, there appeared,

For Mr. Jackson—126 votes.

The Senators voted as follows:

For Mr. Jackson—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—33.

Whereupon Mr. Thomas Jackson, having received a majority of the votes given, was declared duly elected a director of the branch bank at Fayette, for the two years next ensuing.

Nominations again being in order,

Mr. Rawlins nominated William A. Hall.

The vote being taken, there appeared,

For Mr. Hall—123 votes.

For Mr. White—1 vote.

The Senators voted as follows:

For Mr. Hall—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones,

Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—31.

For J. R. White—Mr. Gentry—1.

Absent, Mr. Netherton.

Whereupon Mr. William A. Hall, having received a majority of the votes given, was declared duly elected a director of the branch bank at Fayette, for the ensuing two years.

Nominations being again in order,

Mr. Fort nominated John Viley.

The vote being taken, there appeared,

For Mr. Viley—118 votes.

The Senators voted as follows:

For Mr. Viley—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—32.

Absent, same as above.

Whereupon Mr. John Viley, having received a majority of the votes given, was declared duly elected a director of the branch bank at Fayette, for the two years next ensuing.

Nominations being again in order,

Mr. Stringfellow nominated Benjamin F. Jeter.

The vote being taken, there appeared,

For Mr. Jeter—121 votes.

The Senators voted as follows:

For Mr. Jeter—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—31.

Absent, Messrs. Calhoun and Netherton.

Whereupon Mr. Benjamin F. Jeter, having received a majority of the votes given, was declared duly elected a director of the branch bank at Fayette, for the ensuing two years.

Nominations being again in order,

Mr. Rawlins nominated Charles R. Scott.

The votes being taken, there appeared,

For Mr. Scott—119 votes.

The Senators voted as follows:

For Mr. Scott—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Gentry, Hancock, Hancock, Harper, Harris, Hudspeth, Johnson, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—23.

Absent, Messrs. Calhoun, Fort, Snell, Netherton and Thompson.

Whereupon Mr. Charles R. Scott, having received a majority of the votes given, was declared duly elected a director of the branch bank at Fayette, for

the two years next ensuing.

Nominations for president of the branch of the bank of the State of Missouri at Palmyra being in order,

Mr. Richmond, of the House, nominated William Blakey.

Mr. Carson, of the House, nominated David Willock.

The vote being taken, there appeared,

For Mr. Blakey—68 votes.

For Mr. Willock—56 votes.

The Senators voted as follows:

For Mr. Blakey—Messrs. Acock, Blythe, Fort, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Snyder, Thompson, Welborn and Wolfskill—18.

For Mr. Willock—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Gentry, Hancock, Harris, Lucas, Mills, O'Bryan and Snell—12.

Absent—Messrs. Calhoun and Netherton.

Sick—Mr. Shelton.

Whereupon Mr. William Blakey, having received a majority of the votes given, was declared duly elected president of the branch bank at Palmyra, for the ensuing two years.

Nominations for directors of the branch bank at Palmyra, being in order,

Mr. Jones of the House nominated John Taylor.

Mr. Campbell nominated David Willock.

The vote being taken there appeared,

For Mr. Taylor—71 votes.

For Mr. Willock—47 votes.

The Senators voted as follows:

For Mr. Taylor—Messrs. Acock, Blythe, Boggs, Fort, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Polk, Powers, Rawlins, Reese, Snyder, Thompson, Welborn and Wolfskill—18.

For Mr. Willock—Messrs. Anderson, Campbell, Detchemendy, Ellis, Gentry, Hancock, Harris, Lucas, Mills, O'Bryan and Snell—11.

Absent—Messrs. Calhoun, Monroe and Netherton.

Sick—Mr. Shelton.

Whereupon, Mr. John Taylor, having received a majority of all the votes, was declared duly elected a director of the branch bank at Palmyra for the two years next ensuing.

Nominations being again in order,

Mr. Welborn nominated William Priest.

The vote being taken there appeared,

For Mr. Priest—112 votes.

The Senators voted as follows:

For Mr. Priest—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill—28.

Absent—Messrs. Calhoun, Gentry, Lucas and Netherton.

Sick—Mr. Shelton.

Whereupon Mr. William Priest having received a majority of all the votes given, was declared duly elected a director of the branch bank at Palmyra for the ensuing two years.

On motion of Mr. Fort, the two houses took a recess until two o'clock.

EVENING SESSION.

The two houses assembled at two o'clock.

Nominations for directors of the branch bank at Palmyra, being in order,

Mr. Lowry nominated Thomas E. Palmer.

On motion a call of the houses was ordered, when the number of Senators found to be present was 17.

Absent—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hudspeth, Lucas, Miller, Mills, Netherton, Reese and Snyder.

Sick—Mr. Shelton.

Whereupon, the sergeant at arms was despatched after the absentees, and On motion of Mr. Stringfellow, all further proceedings under the call were dispensed with.

Nominations being still in order,

Mr. Stringfellow nominated David Willock.

The vote being taken, there appeared,

For Mr. Palmer—12 votes.

For Mr. Willock—99 votes.

The Senators voted as follows:

For Mr. Palmer—Messrs. Jones, Miller, Polk, Powers and Reese—5.

For Mr. Willock—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Massey, Monroe, O'Bryan, Rawlins, Snyder, Thompson, Welborn and Wolfskill—23.

Absent—Messrs. Lucas, Mills, Netherton and Snell.

Sick—Mr. Shelton.

Whereupon, Mr. David Willock, having received a majority of the votes given, was declared duly elected, a director of the branch bank at Palmyra, for the two years next ensuing.

Mr. Richmond of the House, moved a reconsideration of the vote just taken on the election of David Willock.

The President of the Senate decided that the motion was not in order.

Mr. Carson of the House appealed from the decision of the chair.

And upon the question being put, "shall the decision of the Chair stand as the judgment of the House?"

It was decided affirmatively.

Nominations being again in order,

Mr. Richmond nominated James Eagon.

The votes being taken, there appeared,

For Mr. Eagon—108 votes.

For Mr. Ellis—1 vote.

For Mr. Jones--1 vote.

For Mr. Detchemendy--1 vote.

For Mr. Carson--1 vote.

The Senators voted as follows:

For Mr. Eagon--Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill--28.

For Mr. John Ellis--Mr. Gentry--1.

Absent--Messrs. Campbell, Miller and Netherton.

Sick--Mr. Shelton.

Whereupon Mr. James Eagon, having received a majority of the votes given was declared duly elected a director of the branch bank, at Palmyra for the ensuing two years.

Nominations being again in order,

Mr. Moss nominated Elias Kinchaloe.

Mr. Richmond nominated Edward W. Cannon.

The vote being taken there appeared,

For Mr. Kinchaloe--40 votes.

For Mr. Cannon--76 votes.

The Senators voted as follows:

For Mr. Kinchaloe--Messrs. Acock, Blythe, Detchemendy, Hancock, Hudspeth, Johnson, Monroe, Polk, Reese, Snell and Wolfskill--11.

For Mr. Cannon--Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harper, Harris, Jones, Massey, Miller, Mills, O'Bryan, Powers, Rawlins Snyder and Welborn--18.

Absent--Messrs. Lucas, Netherton and Thompson.

Sick--Mr. Shelton.

Whereupon, Mr. Cannon, having received a majority of the votes given, was declared duly elected a director of the branch bank, at Palmyra, for the two years next ensuing.

Nominations being again in order,

Mr. Jones, of the House nominated John Redd.

The vote being taken, there appeared,

For Mr. Redd--110 votes.

For Mr. Kinchaloe--1 vote.

The Senators voted as follows:

For Mr. Redd--Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Snyder, Welborn and Wolfskill--27.

Absent--Messrs. Calhoun, Lucas, Netherton, Monroe and Thompson.

Sick--Mr. Shelton.

Whereupon Mr. John Redd having received a majority of the votes given,

was declared duly elected a director of the branch bank at Palmyra, for the two years next ensuing.

Nominations for president of the branch bank of the State of Missouri, at Jackson, being in order.

Mr. Johnson of Cape Girardeau of the House, nominated Albert H. Brevard.

Mr. Polk nominated L. W. Russell.

The vote being taken, there appeared,

For Mr. Brevard—86 votes.

For Mr. Russell—27 votes.

The Senators voted as follows:

For Mr. Brevard—Messrs. Acock, Anderson, Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Johnson, Jones, Massey, Miller, Mills, O'Bryan, Rawlins and Snyder—19.

For Mr. Russell—Messrs. Blythe, Hudspeth, Polk, Powers, Reese, Snell, Thompson, Welborn and Wolfskill—9.

Absent, Messrs. Calhoun, Lucas, Monroe and Netherton.

Sick, Mr. Shelton.

Whereupon Mr. Albert H. Brevard, having received a majority of the votes given, was declared duly elected president of the branch bank at Jackson, for the ensuing two years.

Nominations for directors of the branch bank at Jackson being in order,

Mr. Snyder, of the Senate, nominated Baker Gordon.

The vote being taken, there appeared,

For Mr. Gordon—105 votes.

The Senators voted as follows:

For Mr. Gordon—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Mills, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill—26.

Absent, Messrs. Calhoun, Fort, Lucas, Miller and Monroe.

Sick, Messrs. Netherton and Shelton.

Whereupon Mr. Baker Gordon, having received a majority was declared duly elected a director of the branch bank at Jackson, for the two years next ensuing.

On motion of Mr. Acock the Senate retired to its own chamber.

Mr. Rawlins from the committee on enrolled bills, reported that the following had been presented to the Governor for his approval and signature, a bill entitled

An act to appropriate money, and

A resolution relative to the abstract of the census.

On motion, the Senate adjourned until half past nine o'clock, to-morrow morning.

WEDNESDAY MORNING, *December 4, 1844.*

The Senate met pursuant to adjournment.

The President presented the following communication from the Governor.

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Dec. 2, 1844. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed
a bill entitled
An act to appropriate money, and
A resolution relative to the abstract of the census.

I am very respectfully,

Your obedient servant,

JOHN C. EDWARDS.

The President also presented to the Senate, the annual report of the Treasurer, which

On motion, the reading being dispensed with, was referred to the committee of Ways and Means, and one thousand copies ordered to be printed.

Mr. Fort, on leave of the Senate, introduced

A joint resolution directing the Auditor to draw his warrant in favor of Franklin Cannon,

Which was read a first time, the rules suspended, and read a second and third time, and passed.

Mr. Polk on leave, introduced

A memorial to the Congress of the United States in relation to the occupation of the Oregon territory,

Which was read a first time and ordered to a second reading.

Mr. Reese from the committee on revision, reported that the committee had had under consideration, bills of the following titles:

An act concerning divorce and alimony.

An act regulating ferries.

An act to enable persons held in slavery to sue for their freedom.

An act relative to fugitives from other States.

An act respecting seed horses.

An act regulating inclosures.

An act to restrain intercourse with the Indians.

An act concerning inquests,

And had instructed him to report the same without amendment, and recommend their passage.

Which report was agreed to, and the accompanying bills read a first time, and ordered to a second reading, and

On motion of Mr. Monroe,

The rule was suspended, and they were severally read a second time, referred to a committee of the whole and ordered to be printed, except

An act respecting seed horses,

To which the order to print did not extend.

Message from the House of Representatives, by Mr. Huston, assistant clerk.

MR. PRESIDENT,

I am instructed to inform the Senate that the following resolution has been adopted by the House:

Resolved, That the Senate be informed that the House is now ready to proceed to the election of the balance of the officers of the branch bank, and that seats are set apart on the right of the Speaker's chair for their accommodation.

Mr. Monroe from the select committee, to whom was referred the petition of

sundry citizens of Morgan county, praying the Legislature to relinquish to Adolph Caltner, the interest that may have escheated to the State of Missouri in the estate of Frederick Leovie deceased, reported a bill entitled,

An act for the benefit of Adolph Caltner,

Which was read a first time, and ordered to a second reading.

Mr. Snyder from the select committee appointed to contract for and superintend the job printing of the Senate, reported,

That they had contracted with James Lusk at the following rates: For reports, and other job printing 33 cents per 1000 ems for the first 100 copies, and 2½ cents per 1000 ems for every additional 100 copies; rule and figure work 50 per cent addition. No additional charge for folding or stitching.

For printing the bills for the use of the Senate 37½ cents per 1000 ems for 50 copies and 59 cents for 100 copies per 1000 ems. The printing to be done on good paper.

Which report was read and agreed to by the Senate.

Mr. Ellis submitted the following:

Resolved, by the Senate, the House of Representatives concurring therein:

That a joint committee be appointed whose duty it shall be to visit the University, examine its condition, and report to the two Houses.

Resolved, That a committee of two be appointed on the part of the Senate, to act with such committee as shall be appointed on the part of the House.

Which under the rule lies on the table one day.

On motion of Mr. Monroe the Senate repaired to the hall of the House of Representatives.

The President of the Senate announced that nominations for directors of the branch bank at Jackson, were in order.

Mr. Polk nominated Theodore F. Tong.

The vote being taken there appeared,

For Mr. Long—112 votes.

For Mr. Owens—1 vote.

The Senators voted as follows:

For Mr. Tong—Messrs. Acock, Anderson, Boggs, Campbell, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Snyder, Welborn and Wolfskill—25.

Absent—Messrs. Calhoun, Gentry, Lucas, Snell and Thompson.

Sick—Messrs. Blythe, Netherton and Shelton.

Whereupon, Mr. Theodore F. Tong, having received a majority of the votes given, was declared duly elected a director of the branch bank at Jackson, for the two years next ensuing.

Nominations being again in order,

Mr. Hough nominated Edward B. Kelsoe.

The vote being taken there appeared,

For Mr. Kelsoe—114 votes.

The Senators voted as follows:

For Mr. Kelsoe—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Snyder, Welborn and Wolfskill—26.

Absent, Messrs. Gentry, Lucas, Snell and Thompson.

Sick, Messrs. Blythe, Netherton and Shelton.

Whereupon Mr. Edward B. Kelsoe, having received a majority of the votes given, was declared duly elected a director of the branch bank at Jackson, for the ensuing two years.

Nominations being again in order,

Mr. Snyder, of the Senate, nominated Hiram L. Sloane.

The vote being taken there appeared,

For Mr. Sloane—115 votes.

The Senators voted as follows:

For Mr. Sloane—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Snyder, Welborn and Wolfskill—25.

Absent; Messrs. Gentry, Lucas, Massey, Miller, and Thompson.

Sick, Messrs. Blythe, Netherton, and Shelton.

Whereupon, Mr. Hiram L. Sloane, having received a majority of the votes given, was declared duly elected a director of the branch bank at Jackson, for the two years next ensuing.

Nominations being again in order.

Mr. Snyder, of the Senate, nominated Lewellen M. Russell.

The vote being taken there appeared,

For Mr. Russell—118 votes.

The Senators voted as follows:

For Mr. Russell—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill—30.

Sick, Messrs. Blythe, Netherton, and Shelton.

Whereupon, Mr. Lewellen M. Russell, having received a majority of the votes given, was declared duly elected a director of the branch bank at Jackson, for the ensuing two years.

Nominations being again in order,

Mr. O'Bannon nominated John B. Martin.

Mr. Wallis nominated Richard D. Cowan.

Mr. Snyder, of the Senate, nominated Alfred McLane.

Mr. Perryman nominated Miles Stevenson.

The vote being taken there appeared,

For Mr. Martin—29 votes.

For Mr. Cowan—41 votes.

For Mr. McLane—33 votes.

For Mr. Stevenson—17 votes.

The Senators voted as follows:

For Mr. Martin—Mr. Mills—1.

For Mr. Cowan—Messrs. Hancock, Hudspeth, Johnson, Massey, Monroe, Polk, Powers, Rawlins, Thompson and Wolfskill—10.

For Mr. McLane—Messrs. Acock, Anderson, Boggs, Calhoun, Detchemendy, Ellis, Fort, Harper, Jones, Lucas, Miller, O'Bryan, Snell, Snyder and Welborn—15.

For Mr. Stevenson—Messrs. Campbell, Gentry and Reese—3.

Absent—Mr. Harris.

Sick—Messrs. Blythe, Netherton and Shelton.

Neither candidate having received a majority, the two Houses proceeded to a second ballot when there appeared,

For Mr. Martin—15 votes.

For Mr. Cowan—40 votes.

For Mr. M'Lane—67 votes.

For Mr. Stevenson—1 vote.

The Senators voted as follows:

For Mr. Martin—Mr. Mills—1.

For Mr. Cowan—Messrs. Acock, Hancock, Hudspeth, Johnson, Monroe, Polk, Powers, Rawlins, Reese, Thompson and Wolfskill—11.

For Mr. M'Lane—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Ellis, Fort, Harper, Harris, Jones, Lucas, Massey, Miller, O'Bryan, Snell, Snyder and Welborn—16.

Absent—Mr. Campbell.

Sick—Messrs. Blythe, Netherton and Skelton.

Whereupon Mr. Alfred M'Lane, having received a majority of the votes given, was declared duly elected, a director of the branch bank at Jackson, for the two years next ensuing.

Nominations for President of the branch of the bank of the State of Missouri at Springfield being in order,

Mr. Rains nominated James H. McBride.

Mr. Acock nominated Joseph L. Morton.

On motion a call of the two Houses was ordered, when all of the Senators answered to their names with the exception of Messrs. Blythe, Netherton and Shelton, sick.

The vote being taken, there appeared,

For Mr. Morton—66 votes.

For Mr. McBride—58 votes.

The Senators voted as follows:

For Mr. Morton—Messrs. Acock, Boggs, Campbell, Calhoun, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Snyder, Thompson, Welborn and Wolfskill—21.

For Mr. McBride—Messrs. Anderson, Detchemendy, Ellis, Gentry, Lucas, Mills, O'Bryan, Reese and Snell—9.

Sick, Messrs. Blythe, Netherton and Shelton.

Whereupon Mr. Joseph L. Morton, having received a majority of the votes given, was declared duly elected president of the branch bank at Springfield, for the ensuing two years.

On motion of Mr. Chiles, the two Houses took a recess until half past two o'clock.

EVENING SESSION.

The two houses assembled.

Nominations for directors of the branch bank at Springfield being in order, Mr. James nominated Joseph Weaver.

The vote being taken, there appeared,

For Mr. Weaver—97 votes.

For Mr. McBride—1 vote.

The Senators voted as follows:

For Mr. Weaver—Messrs. Acock, Boggs, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, O'Bryan, Polk, Powers, Rawlins, Reese, Snyder, Thompson and Welborn—19.

Absent, Messrs. Anderson, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Lucas, Mills, Monroe, Snell and Wolfskill.

Sick, Messrs. Blythe, Netherton and Shelton.

Whereupon Mr. Joseph Weaver, having received a majority of the votes given, was declared duly elected a director of the branch bank at Springfield, for the ensuing two years.

Nominations being again in order,

Mr. Montgomery nominated Joseph Roundtree.

The vote being taken, there appeared,

For Mr. Roundtree 101 votes.

The Senators voted as follows:

For Mr. Roundtree—Messrs. Acock, Boggs, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, O'Bryan, Polk, Powers, Rawlins, Reese, Snyder, Thompson and Welborn—19.

Absent and sick, same as above.

Whereupon Mr. Joseph Roundtree having received a majority of the votes given, was declared duly elected a director of the branch bank at Springfield, for the two years next ensuing.

Nominations being again in order,

Mr. Hancock nominated Caleb Headlee.

The vote being taken, there appeared,

For Mr. Headlee—102 votes.

The Senators voted as follows:

For Mr. Headlee—Messrs. Acock, Boggs, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Snyder, Thompson and Welborn—24.

Absent, Messrs. Anderson, Calhoun, Detchemendy, Campbell, Ellis, Fort, Lucas, Snell and Wolfskill.

Sick, same as above.

Whereupon, Mr. Caleb Headlee, having received a majority of the votes given, was declared duly elected a director of the branch bank at Springfield, for two years next ensuing.

Nominations being again in order,

Mr. Ballou nominated R. C. Henry.
 The vote being taken there appeared,
 For Mr. Henry—103 votes.
 The Senators voted as follows:

For Mr. Henry—Messrs. Acock, Boggs, Campbell, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Snyder, Thompson, Welborn and Wolfskill—24.

Absent—Messrs. Anderson, Detchemendy, Gentry, Lucas and Snell.

Sick, Messrs. Blythe, Netherton and Shelton.

Whereupon, Mr. R. C. Henry, having received a majority of the votes given, was declared duly elected a director of the branch bank of the State of Missouri, at Springfield for the ensuing two years.

Nominations being again in order,
 Mr. Owens nominated Charles Wells.
 Mr. Rains nominated James Arnold.
 The vote being taken there appeared,
 For Mr. Wells—55 votes.
 For Mr. Arnold—50 votes.
 The Senators voted as follows:

For Mr. Wells—Messrs. Acock, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, O'Bryan, Polk, Powers, Rawlins, Snyder, Thompson, Welborn and Wolfskill—17.

For Mr. Arnold—Messrs. Boggs, Campbell, Fort, Harris, Mills and Reese—6.

Absent, Messrs. Anderson, Calhoun, Detchemendy, Ellis, Gentry, Lucas and Snell.

Sick, same as above.

Whereupon Mr. Charles Wells, having received a majority of the votes given, was declared duly elected a director of the branch bank at Springfield for the two years next ensuing.

Nominations being again in order,
 Mr. Massey nominated Ananias B. McCaskill.
 Mr. Acock nominated Larkin Payne.
 The vote being taken there appeared,
 For Mr. McCaskill—58 votes.
 For Mr. Payne—49 votes.
 The Senators voted as follows:

For Mr. McCaskill—Messrs. Calhoun, Ellis, Fort, Harper, Hudspeth, Jones, Massey, Reese, Thompson and Welborn—10.

For Mr. Payne—Messrs. Acock, Hancock, Harris, Johnson, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Rawlins, Snyder, and Wolfskill—13.

Absent, Messrs. Anderson, Boggs, Campbell, Detchemendy, Gentry, and Snell.

Sick, same as above.

Whereupon Mr. McCaskill, having received a majority of the votes given, was declared duly elected a director of the branch bank at Springfield for the ensuing two years.

On motion the Senate retired from the Hall of the House of Representatives and assembled in its own chamber.

On motion of Mr. Ellis,

A bill for the relief of Milly Owen,

Was reconsidered, taken up and passed by the following vote:

Yeas.—Messrs. Anderson, Boggs, Calhoun, Fort, Hancock, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Rawlins, Reese, Thompson, Welborn and Wolfskill—16.

Nays.—Messrs. Acock, Campbell, Ellis, Gentry, Harper, Harris, Massey, Mills, O'Bryan, Snell and Snyder—11.

Absent, Messrs. Lucas and Miller.

Sick, Messrs. Blythe, Detchemendy, Netherton and Shelton.

On motion of Mr. Hudspeth,

Messrs. Massey and Harris were added to the committee on elections.

On motion of Mr. Monroe,

Resolved, by the Senate, the House of Representatives agreeing thereto:

That a joint committee to consist of two members on the part of the Senate, and ——— on the part of the House, be appointed, whose duty it shall be to enquire what improvement, if any in and about the Capitol, would conduce to the comfort and health of the members of the General Assembly, and that they be instructed to report by bill or otherwise.

Whereupon, Messrs. Monroe and Snell were appointed said committee.

On motion of Mr. Fort,

The resolution for appointing a clerk for the committee on revision was taken up, and

On motion of Mr. Reese,

Passed over for the present.

On motion, the Senate adjourned.

THURSDAY MORNING, *December 5, 1844.*

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Huston, assistant clerk.

MR. PRESIDENT:

The following enrolled bills have been signed by the Speaker of the House of Representatives:

An act for the relief of the collector of Perry county.

An act to authorise John Jacobs, treasurer of Shelby county, to draw certain monies belonging to said county.

Whereupon they were signed by the President of the Senate, and transmitted to the Governor for his approval and signature.

Mr. Anderson from the select committee to whom was referred the Governor's message, reported,

That they had noted the subjects of the message in rotation, which seemed

to require the action of the Legislature, and recommended the disposition of them as follows:

- 1st. So much as relates to the memory of the late Gov. Reynolds,
To a select committee of five.
- 2nd. To the northern boundary,
To a committee on federal relations.
- 3rd. To the southern boundary,
To the course already provided by bill for money as passed the Senate.
- 4th. To our late Senator Lewis F. Linn, and Ex-Governor Daniel Dunklin,
To the committee having charge of the same subject in regard to the late Governor Reynolds.
- 5th. To the amendments to the constitution,
To the course already taken on that subject by motion for their adoption.
- 6th. To the holding of elections of President and Vice President of the United States, on the same day throughout the Union,
To a select committee of three, with instructions to draft a memorial to Congress.
- 7th. To the election of other officers than circuit attorneys on the same day of the Presidential election,
To the committee on the Judiciary.
- 8th. To laying off the State into Congressional districts,
To a select committee of nine members.
- 9th. To Texas and Oregon,
To a committee on federal relations, consisting of nine members.
10. To sales of land for taxes under a law of the last session,
To the course of the bill now before the Senate for the repeal of that law.
11. To the "Great Swamp,"
To the committee on internal improvements.
12. To the public arms and the militia,
To the committee on the militia.
13. To the collection of debts before Justices courts, and also court of common pleas of St. Louis county,
To the committee on the judiciary.
14. To the revision of the laws,
To the course already adopted, of reference to a joint committee of both Houses.
15. To the penitentiary,
To the committee on that subject.
16. To a lunatic asylum,
To the committee on internal improvements.
17. To the State tobacco warehouse,
To the committee on agriculture.
18. To taxation for the purpose of redeeming the bonds of the State,
To the committee of ways and means.
- 19th. To the university and common schools,
To the committee on education.
- 20th. To the security of the public buildings against fire,
To the committee on the permanent seat of government.
- 21st. To statistical information requested by the treasury department of the United States,
To the committee of ways and means.
- 22nd. To the surrender of Richard Eels a fugitive from justice,
To the committee on the judiciary.
- 23rd. To the appropriation of the proceeds of the sales of 500,000 acres of land and the plan of further sales,
To the committee on internal improvements.

Which report was read and agreed to.

Message from the House of Representatives by Mr. Gilpin their clerk,

MR. PRESIDENT,

The following bills have been reported to the House by the revising committee:

An act regulating the removal of officers by address.

An act respecting aliens.

An act regulating the mode of taking the census.

An act respecting the Attorney General, circuit and county attornies.

An act concerning attornies at law.

An act to license and tax billiard tables.

An act concerning bonds and notes.

An act concerning depositions.

An act to enable counties to make contracts, and to hold and convey real estate.

An act to establish and regulate county treasuries.

An act regulating clerks.

The House has passed the following bills:

An act to authorise the administrator of Nicholas Burckhart, deceased, to sell real estate.

An act for the relief of Thornton Grimsley and others.

An act to change the name of John Boggs.

An act to change the name of Niangua county to Dallas.

An act amendatory and explanatory of an act to fix the time of holding circuit courts, approved, February 24th, 1843,

Also the Senate resolution entitled,

Joint resolution directing the Auditor to draw his warrant in favor of Franklin Cannon.

The following bills have been introduced into the House:

An act to change the time of holding circuit courts in Scott county.

An act respecting partition and assignment of dower in slaves.

An act for the relief of Moses D. Bates, Ephraim J. Wilson and William McDaniel, and

An act to locate the county seat of Bates county.

Mr. Fort from the committee appointed to examine into the condition of the bank, presented a communication from John J. Lowry, containing answers to certain interrogatories, propounded in relation to the branch bank at Fayette,

Which was read and referred to the committee on the bank.

On motion of Mr. Welborn,

The report of the curators of the State university was referred to the committee on education.

On motion of Mr. Snyder,

The several bids in relation to the printing of the General Assembly, lying on the table, were taken up and referred to the committee appointed to contract for and superintend the job printing of the Senate.

Mr. Massey moved the Senate to excuse himself and Mr. Harris from serving on the committee on elections.

Which was negatived.

Mr. Anderson, on leave of the Senate, presented a memorial from sundry merchants of St. Louis, in relation to inspection in the State tobacco warehouse.

Which was read and

Referred to the committee on agriculture.

On motion of Mr. Jones,

The resolution in relation to the orders of business of the Senate, was taken

up and adopted.

Mr. Monroe, on leave of the Senate, from the joint committee appointed by the Governor to examine the accounts of the Auditor and Treasurer, submitted a report

Which was received and read.

On motion of Mr. Rawlins,

The House bill entitled

An act to authorise the administrators of the estate of Nicholas Burckhart, deceased, to sell real estate,

Was taken up and read a first time, the rule suspended, read a second time and ordered to a third reading to-morrow.

On motion of Mr. Snyder,

Resolved, by the Senate, the House of Representatives concurring therein:

That the select committee appointed on the part of the Senate, and the select committee appointed on the part of the House, to superintend the job printing of the two Houses during the present session, be authorised to act jointly, to contract for the printing of the laws and journals of the General Assembly.

The following were severally read a second time, ordered to be engrossed and read a third time to-morrow.

An act for the benefit of Adolph Callner, and

A memorial to the Congress of the United States in relation to the occupation of the Oregon territory.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled,

A joint resolution in favor of Franklin Cannon, administrator of Daniel Dunklin deceased.

Message from the House of Representatives by Mr. Gilpin, their clerk,

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the enrolled resolution entitled,

A joint resolution in favor of Franklin Cannon, administrator of the estate of Daniel Dunklin.

Amendments to the constitution of the State of Missouri in relation to judicial tenures,

Were taken taken up, and before any action thereon,

On motion, the Senate adjourned, until to-morrow morning at ten o'clock.

FRIDAY MORNING, *December 6, 1844.*

The Senate met-pursuant to adjournment.

Message from the House of Representatives by Mr. Gilpin their clerk.

MR. PRESIDENT:

The House has adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring therein:

That the respective committees of the two Houses on public printing be instructed to act jointly, on all propositions to execute the public printing.

Mr. Jones presented the petition of Thomas G. Childers, sen., praying the legislature to permit him to peddle without license, which

On motion, the reading being dispensed with, was referred to a select committee consisting of Messrs. Jones, Polk and Massey.

On motion of Mr. Miller,

Ordered, That one hundred copies of the report of the committee appointed to settle with the Auditor and Treasurer be printed for the use of the Senate.

On motion of Mr. Monroe,

Resolved by the Senate, the House of Representatives concurring therein:

That the committee appointed by the Governor to settle with the Auditor and Treasurer, shall

First. As soon as may be burn all the wolf scalp certificates in the Treasurer's office, received there prior to the 1st day of October, 1844.

Second. Said committee shall employ some suitable person, whose duty it shall be, under the superintendence of said committee, to cancel all the vouchers in the Auditor's office, received there during the two last fiscal years ending 30th September 1844, by writing across the face of each, with red ink, the word "cancelled," for which services such person, so employed, shall receive as compensation the same per diem, allowance as is paid to other clerks of the General Assembly, for the time that he is necessarily employed therein; to be paid out of the contingent fund of the General Assembly.

Third. It shall be the duty of said committee at a day near to, and before the adjournment of the present session of the General Assembly, to count all the wolf-scalp certificates that shall have been received into the Treasurer's office, since the 30th Sept. 1844; and it shall be the further duty of said committee to cause the Treasurer to be credited on the books of the Auditor, with the proper sum represented in the treasury by such wolf-scalp certificates.

It shall be the further duty of said committee immediately after causing such credit to be entered on the Auditor's books, to burn all such wolf-scalp certificates and to report to their respective Houses, the amount thus counted and burned.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Dec. 5, 1844.

To the Hon. the Senate of Mo.

GENTLEMEN—I have this day signed and approved a resolution appropriating money to pay contingent expenses incurred in surveying the southern boundary of the State.

I have the honor to be

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Mr. Anderson on leave of the Senate, introduced

A bill to repeal an act entitled, an act concerning landlords and tenants, in the county of St. Louis, approved Feb. 25th, 1843.

Which was read a first time, the rule suspended, and read a second time, and referred to a select committee consisting of Messrs. Mills, Anderson and Lucas.

A bill from the House of Representatives, entitled,

An act to authorise the administrators of the estate of Nicholas S. Burckhart, deceased to sell real estate,

Was read a third time and passed.

Amendments to the constitution of the State of Missouri, in relation to judicial tenures,

Were taken up, and without any action thereon,

On motion of Mr. Welborn,

Passed over for the present.

Mr. Campbell from the committee on engrossed bills, reported as truly engrossed,

An act for the benefit of Adolph Caltner.

A memorial to the Congress of the United States in relation to the occupation of the Oregon territory.

On motion of Mr. Reese,

The resolution in relation to the appointment of a clerk by the committee on revision,

Was taken up.

Mr. Mills offered the following substitute:

Resolved by the General Assembly, That the enrolling clerk of the Senate, be required to perform the duties of engrossing clerk of the Senate, until otherwise ordered and that it shall be the duty of the engrossing clerk of the Senate, until otherwise ordered, to perform the duties of clerk to the revising committee of this General Assembly,

Which was rejected.

Mr. Thompson moved to amend as follows:

Strike out all after the word "clerk" where it first occurs in the resolution, and insert the following: "who shall be discharged at the will of said committee.

Which was agreed to.

The question then recurred on the adoption of the resolution as amended, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Jones, Lucas, Miller, Mills, Monroe, O'Bryan, Polk, Reese, Snell, Thompson, Welborn and Wolfskill—23.

Nays.—Messrs. Acock, Hancock, Johnson, Massey, Powers, Rawlins and Snyder—7.

Sick, Messrs. Blythe, Netherton and Shelton.

On motion the Senate adjourned till to-morrow morning at 10 o'clock.

SATURDAY MORNING, December 7, 1844.

The Senate met pursuant to adjournment.

Mr. Acock, from the committee on internal improvements, to whom was referred so much of the Governor's message as relates to the establishment of a lunatic asylum, reported that they had had the same under consideration, and after a full examination of the subject, could not see why the committee appointed to distribute the different subjects in the Governor's message, should assign that portion of it which relates to lunatics to the committee on internal improvements, and asked to be discharged from the further consideration of the subject.

Which report was read and agreed to.

On motion of Mr. Monroe,

Resolved, That so much of the Governor's message as relates to the establish-

ment of a lunatic asylum, he referred to a select committee, to consist of Messrs. Welborn, Wolfskill, Ellis and Harper.

Mr. Massey submitted the following:

Resolved, That the following be adopted as a rule of the Senate, for and during the present session.

Whatever subject may be before the Senate at an adjournment, shall be proceeded in when the Senate reassembles, without any regard being paid to the order of business prescribed by the rules, until said subject shall be disposed of, and that the Senate will not recur each morning to the order as prescribed by the rules, but will proceed in the order they were at the adjournment, *provided*, that petitions, memorials and remonstrances, may be at any time presented when there is no question before the Senate, and provided further, that the committee on enrolled bills, may also at any time report when there is no question before the Senate.

Which, under the rule, lies one day on the table.

On motion of Mr. Monroe,

Resolved, That the committee of Ways and Means be instructed to enquire into the expediency of repealing all laws allowing a premium for the destruction of wolves, and that they have leave to report by bill or otherwise.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

MR. PRESIDENT:

The House of Representatives has concurred in the resolution of the Senate, authorising the revising committee to appoint a clerk.

In conformity with the report of the select committee appointed to distribute the different subjects of the Governor's message to their appropriate committees, the President announced,

Messrs. Monroe, Rawlins, Fort, Anderson and Boggs, as the committee on so much of the Governor's message as relates to the memory of the late Governors Reynolds.

Messrs. Acock, Hudspeth, Lucas, Gentry, Johnson, Calhoun, Monroe, Reese and Jones, as the committee on so much as relates to laying off the State into congressional districts, and

Messrs. Jones, Ellis, Mills and Snell, as the committee on federal relations.

A memorial to Congress in relation to the occupation of the Oregon territory,

Was read a third time

Mr. Ellis moved to refer it to a select committee.

Mr. Boggs moved to amend the motion by adding, and that it be printed,

Which was rejected, and

The question recurring on the motion to refer the memorial to a select committee, it was also rejected.

Mr. Boggs moved to amend by way of rider as follows:

Resolved, That the Secretary of State be requested to forward as early as practicable a printed copy of this memorial to the Executive of each State in the Union, and to each of our Senators and Representatives in Congress, and to each member of the Senate and House of Representatives of the United States from the other States of this Union.

Which was read a first time, the rule suspended, the rider read a second and third time, when

The memorial as amended passed.

On motion of Mr. Anderson, the vote on the 9th section of the report of the select committee to whom was referred the Governor's message was reconsidered.

Mr. Ellis offered the following substitute:

So much of the Governor's message as relates to Texas and Oregon,
To the committee on Texas and Oregon.

Which was rejected, and

On motion of Mr. Acock, the 9th section of the report was rejected.

An act for the benefit of Adolph Caltner.

Was read a third time and passed.

Mr. Reese, from the committee on revision, by leave of the Senate,
Reported the following bills, and recommended their passage.

An act to provide for the support of the poor,—with an amendment.

An act respecting salvage—with amendments.

An act establishing recorders offices,—with amendments.

An act concerning perpetuating testimony—with an amendment.

An act regulating the office of sheriff and marshall—with an amendment, and

An act concerning strays—without amendment.

Which report was read and agreed to, and the accompanying bills read a first time and ordered to a second reading.

On motion of Mr. Monroe, the rule was suspended, and

An act concerning strays, was read a second time.

Mr. Monroe moved to refer it to a committee of the whole, which was determined in the affirmative.

Mr. Monroe then moved that the bill be printed.

Which was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Hudspeth, Johnson, Jones, Monroe, O'Bryan, Polk, Powers, Shelton, Thompson, Welborn and Wolfskill—15.

Nays—Messrs. Acock, Ellis, Fort, Gentry, Hancock, Harper, Harris, Lucas, Massey, Miller, Mills, Rawlins, Reese, Snell and Snyder—15.

Sick, Messrs. Blythe, Campbell and Netherton.

The Senate being equally divided, the President gave the casting vote in the negative.

Mr. Ellis offered the following:

Resolved, That all bills, reported by the committee on revision, with amendments, shall be printed without further order, and those without amendment shall not.

Mr. Monroe moved to amend by striking out all after the word "order" which was accepted by Mr. Ellis.

Mr. Anderson offered the following substitute:

1st. *Resolved*, That all bills, presented to the Senate, shall be printed, unless the printing in any particular case be dispensed with by order of the Senate.

2nd. *Resolved*, That all bills and resolutions, whether of the Senate, or the House, shall be numbered in order as presented, whether printed or not, and that each bill and resolution, shall come up, for the action of the Senate, in its numerical order, unless otherwise directed by the Senate.

On motion of Mr. Anderson, the 31st rule of the Senate was dispensed with, and the substitute was read and adopted, and

The question on the passage of the resolution was determined in the affirmative.

On motion the Senate adjourned until Monday morning at ten o'clock.

MONDAY MORNING, December 9, 1844.

The Senate met pursuant to adjournment.

The President presented a communication containing proposals for printing, from Messrs. Hammond and Main, which, on motion, the reading being dispensed with, was referred to the committee on printing.

On motion of Mr. Acock,

Resolved, That the Secretary of State be requested to communicate to the Senate, an abstract of the census of this State for the year 1844, at his earliest convenience.

On motion of Mr. Miller,

Resolved by the Senate, That the committee on the militia be instructed to inquire into the expediency of erecting a suitable building for the safe keeping and preservation of the State arms, and that they report by bill or otherwise.

Mr. Jones gave notice that on Wednesday next or some day thereafter, he would introduce a bill to amend the 8th article, of an act concerning appeals from justices of the peace and proceedings thereon in the circuit court, approved March 21st, 1835.

The following bills were severally read a second time, referred to a committee of the whole, and ordered to be printed:

An act to provide for the support of the poor.

An act respecting salvage.

An act to establish recorder's offices.

An act regulating the office of sheriff and marshall.

An act concerning perpetuating testimony.

The resolution offered by Mr. Massey, proposing an additional rule for the government of the Senate,

Was taken up and rejected.

A bill from the House of Representatives entitled,

An act to repeal an act to provide for the sale of land for taxes, approved Feb. 27, 1843.

Was read a first time,

Mr. Monroe moved to reject the bill,

Which was determined in the negative by the following vote:

Yeas—Messrs. Fort, Harper, Monroe, Powers, Reese, Shelton and Wolfskill—7.

Nays—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Rawlins, Snell, Snyder, Thompson and Welborn—25.

Sick, Mr. Blythe.

On motion of Mr. Lucas, the rule was suspended and the bill was read a second time.

Mr. Acock moved to refer the bill to the committee on the judiciary with instructions to report a bill to enforce the collection and payment of the revenue for the year 1844, and all preceding years under the act proposed to be repealed.

Which was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Fort, Hancock, Johnson Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—13.

Nays.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Jones, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Rawlins, and Snell—19.

Sick, as above.

Mr. Jones moved to refer the bill to the committee on revision, which was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Fort, Hancock, Johnson, Jones, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—15.

Nays.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Lucas, Massey, Miller, Mills, Netherton, O'Bryan and Snell—17.

Sick, Mr. Blythe.

Mr. Polk moved to refer the bill to the committee on Ways and Means, Which was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Fort, Hancock, Harper, Johnson, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—14.

Nays.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Hudspeth, Jones, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Rawlins and Snell—18

Sick, Mr. Blythe.

On motion of Mr. Boggs,
The bill was ordered to a third reading to-morrow.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. PRESIDENT:—The following bill has been introduced into the House:
An act for the relief of William Milburn.

The following bills have been reported to the House by the revising committee;

An act to provide for choosing electors for President and Vice President of the United States.

An act concerning escheats.

An act concerning landlords and tenants.

An act to regulate proceedings on writs of mandamus.

An act concerning laws.

An act for the entire abolition of lotteries.

An act directing the fencing and enclosing of furnaces for the smelting of lead.

An act to regulate marks and brands.

An act respecting lost money and goods.

An act declaring certain words actionable.

An act concerning salt petre works.

An act fixing the salaries of civil officers.

An act concerning oaths and affirmations.

An act concerning patrols.

An act concerning notaries public.

The following bills have passed the House.

An act to survey and mark out a State road from Bolivar in Polk county to Fort Scott.

An act for the relief of the collector of Wayne county.

An act amendatory of an act incorporating the Missouri Fire Company.

An act to provide for an additional justice of the peace for St. Louis county.

An act for establishing and keeping in repair roads and highways in the counties of St. Charles, Warren, Lincoln, Pike and Montgomery.

The House has so amended the concurrent resolution of the Senate, relating to the joint action of the committee of the two Houses on printing, as to authorize the standing committee of the House on printing to act jointly with the select committee of the Senate on job printing.

The following bills from the House of Representatives were severally read a first time, and ordered to a second reading.

A bill for the relief of William Thrailkill.

An act for the relief of Thornton Grimsley and others.

An act amendatory and explanatory of an act to fix the times of holding circuit courts, approved Feb. 24th, 1843.

An act to change the name of John Boggs.

An act to provide for an additional justice of the peace for St. Louis county.

An act amendatory of an act incorporating the Missouri Fire company.

An act for the relief of the collector of Wayne county.

An act to survey and mark out a State road from Bolivar in Polk county to Fort Scott, and

An act for establishing and keeping in repair roads and highways in the counties of St. Charles, Warren, Lincoln, Pike and Montgomery.

The following House bill was read a first time.

An act to change the name of Niangua county to Dallas.

On motion of Mr. Fort,

The rule was suspended, the bill read a second time, and

Ordered to be read a third time to-morrow.

On motion of Mr. Anderson,

Leave was granted to Dr. McNair to deliver a lecture in the Senate chamber this evening.

On motion,

The Senate adjourned until to-morrow morning at ten o'clock.

TUESDAY MORNING, *December 10, 1844.*

The Senate met pursuant to adjournment.

The following bills were, on leave of the Senate severally introduced, read a first time and ordered to a second reading.

By Mr. Ellis,

A bill for the relief of W. W. Compton.

By Mr. Wolfskill,

A bill for the relief of William J. Smith and others,

Which on motion of Mr. Wolfskill, the rule being suspended, was read a second time and referred to the committee on claims.

Mr. Snyder gave notice that he would on to-morrow or some subsequent day, ask leave to introduce a bill to provide for opening a State road from the city of Cape Girardeau in Cape Girardeau county, passing through the town of Jackson, in said county, and through Fredericktown in Madison county, to Springfield in Greene county.

On motion of Mr. Detchemendy,

Resolved, That the committee on internal improvements, be requested to inquire into the expediency of changing or altering the act entitled, an act to provide for opening and repairing public roads and highways, so as to operate by equal taxation, to be assessed and collected according to the present mode of collecting the State and county revenue.

Mr. Miller, on leave of the Senate,

Presented the petition of Mr. Thomas, with accompanying documents, in relation to a certain claim against the State.

Which, on motion, the reading being dispensed with, were referred to the committee on claims.

On motion of Mr. Snyder,

The amendment of the House of Representatives to the resolution of the Senate, in relation to the joint action of the committees of the two Houses on the subject of printing was taken up and concurred in.

The following bills from the House of Representatives were severally read a second time and referred to the committee on claims.

A bill for the relief of William Thrailkill.

An act for the benefit of Thornton Grimsley and others.

An act for the relief of the collector of Wayne county.

The following were read a second time and ordered to a third reading on tomorrow.

An act amendatory and explanatory of an act to fix the time of holding circuit courts, approved Feb. 24, 1843.

An act to provide for an additional justice of the peace for St. Louis county.

An act amendatory of an act incorporating the Missouri Fire company.

An act to survey and mark out a State road from Bolivar in Polk county to Fort Scott.

An act for establishing and keeping in repair roads and highways in the counties of St. Charles, Warren, Lincoln, Pike and Montgomery.

The following bill was read a second time, and on motion of Mr. Harper, the rule was suspended and read a third time and passed.

An act to change the name of John Boggs.

The following bill was read a third time:

An act to repeal an act to provide for the sale of land for the taxes, approved Feb. 27, 1843.

Mr. Monroe moved that the bill be passed over for the present, which was negatived by the following vote:

Yeas—Messrs. Fort, Hancock, Harper, Johnson, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—13.

Nays—Messrs. Acock, Anderson, Boggs, Calhoun, Detchemendy, Ellis, Gentry, Harris, Hudspeth, Jones, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Rawlins and Snell—18.

Sick, Messrs. Blythe and Campbell.

Mr. Acock moved to amend the bill by way of ryder as follows:

Strike out the proviso up to and including the word "passed" in the 7th line and insert the following:

Provided, That nothing in this act shall be so construed as to release any collector from collecting and paying into the treasury all the revenue which may be due, or shall have been collected for the year 1844, or any preceding years.

Which was read a first time.

Mr. Lucas moved to reject the ryder.

Which was negatived by the following vote:

Yeas.—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Jones, Lucas, Mills, Netherton, O'Bryan and Snell—14.

Nays.—Messrs. Acock, Fort, Hancock, Hudspeth, Johnson, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—17.

Sick, Messrs. Blythe and Campbell,

When on motion the ryder was read a second time.

Mr. Reese moved to amend the amendment as follows:

Strike out all after the word "provided" and insert "however, that this act shall not operate so as to exempt any person from paying, or any collector of this State from collecting and paying over any taxes now due, for the year 1844, or any year prior thereto, in the same manner and with like effect, as if this act had not passed.

All acts and parts of acts repealed by the act entitled an act to provide for the sale of lands for the taxes, approved Feb. 27, 1843, are hereby revived and put in full force."

Which was rejected.

Mr. Monroe moved to amend the amendment as follows:

By adding to the ryder the following:

Provided also, that nothing herein contained shall be so construed as to prevent the payment of taxes, at the treasury, on lands reported as non-resident, in the same manner as though this act had not passed.

Which was read and adopted.

The question was then taken whether the ryder should be ordered to a third reading, and determined in the affirmative, when

The ryder was read a third time.

The question then recurred on the passage of the bill as amended, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harri s, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Rawlins, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill—26.

Nays.—Messrs. Anderson, Harper, Lucas, Powers and Shelton—5.

Sick, Messrs. Blythe and Campbell.

Message from the House of Representatives by Mr. Huston, assistant clerk.

MR. PRESIDENT,

The following bills have been introduced into the House:

An act for the relief of Enos McDaniel.

An act for the relief of James Mochette, of St. Charles county.

The House has passed a bill entitled,

An act to locate the county seat of Bates county.

The House has rejected the following bills:

An act for the relief of Melcina Hammond.

An act for the relief of William Parrish.

An act for the relief of John Wilson.

An act for the relief of Margaret Ann Aikin.

An act divorcing Polly Nichols from her husband, John Nichols.

A bill from the House of Representatives entitled,

An act to change the name of Niangua county to Dallas,

Was read a third time and passed.

On motion the Senate adjourned till to-morrow morning at ten o'clock.

WEDNESDAY MORNING, *December 11, 1844.*

The Senate met pursuant to adjournment.

Mr. Lucas presented the petition of sundry citizens of St. Louis county, praying for the incorporation of the Franklin fire company;

Which was read and referred to a select committee, consisting of Messrs. Lucas, Mills and Monroe.

Mr. Hancock, from the committee on claims, to whom was referred

A bill for the relief of William Thrailkill,

Reported it back without amendment, and recommended its passage.

The report was read and agreed to, and

The accompanying bill read a third time.

Mr. Monroe moved to amend by way of rider as follows:

In section 3, line 1st, strike out the word "bill," and in lieu thereof insert the word "act."

Which was read three several times, and

The bill as amended passed.

On motion of Mr. Ellis,

The concurrent resolutions in relation to the appointment of a committee to examine the condition of the State University,

Were taken up, and

On motion of Mr. Boggs,

A call of the House was ordered, when the number of Senators present was 32; absent, Mr. Gentry—I.

Whereupon the Sergeant at Arms was despatched to notify Mr. Gentry.

On motion of Mr. Thompson,

The resolutions were laid on the table.

The following message from the House of Representatives was received by Mr. Gilpin, clerk:

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act to regulate fees in certain cases.

An act for the relief of John Hammond, collector of Jefferson county.

An act for the relief of Nathaniel Harmon.

An act for the relief of Marvin Munger.

An act to repeal an act approved Feb. 24, 1843, entitled an act amendatory of an act to regulate marks and brands, approved Feb. 26, 1835.

An act for a change in a State road.

An act for the relief of G. W. Taylor, collector of Buchanan county.

An act for the relief of Preston Mu'llineaux.

An act for the relief of William J. Tutt, collector of Morgan county.

An act to establish a State road from John Warren's in Jefferson county to Jackson in Cape Girardeau county.

An act to repeal an act concerning strays in Jefferson county, approved Feb. 25, 1843.

An act for the relief of the collector of Cape Girardeau county.

An act to authorise Edward Berry to build a mill dam across south Grand river.

An act for the relief of Russell W. Moss, late sheriff of Shelby county.

An act for the relief of A. Finley, jun.

The House has passed the Senate bill entitled,

A bill supplemental to an act entitled an act to survey and mark out the southern boundary line of this State, approved Feb. 11, 1841.

The House has passed the following revised statutes.

An act regulating the mode of taking the census.

An act concerning depositions.

An act regulating the removal of officers by address.

An act to enable counties to make contracts and hold and convey real estate.

An act respecting the Attorney General, circuit and county attornies.

An act concerning attornies at law.

The House has concurred in the resolutions of the Senate, instructing the committee appointed to settle with the Auditor and Treasurer in relation to wolf scalp certificates.

The Speaker has signed the enrolled bill entitled an act to authorise the administrators of Nicholas S. Burckhart deceased, to sell real estate.

Whereupon it was signed by the President of the Senate and transmitted to the Governor for his approval and signature.

On motion of Mr. Thompson,

The amendments to the constitution of the State of Missouri, proposed by the twelfth General Assembly in relation to the limitation of judicial tenures,

Were taken up and read a third time, when

A call of the House was ordered, and all the Senators found to be present.

Mr. Fort moved the previous question on the passage of the first section of the amendments.

Which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Detchemendy, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Snyder, Thompson, Welborn and Wolfskill—22.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Lucas, Mills, Netherton, O'Bryan, Shelton and Snell—10.

The question then recurred on the adoption of the first section of the amendments to the constitution,

Which was decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—25.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Lucas, Mills, O'Bryan and Snell—8.

The constitutional majority of two-thirds having voted for the adoption of the first section the same was declared adopted.

The question was then taken on the adoption of the second section of the amendments and was decided affirmatively by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—24.

Nays—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Lucas, Mills, O'Bryan and Snell—9.

The constitutional majority of two-thirds having voted for the adoption of the second section, the same was declared adopted.

The question was then taken on the adoption of the third section of the

L. of C.

amendments, and was decided in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Nether-ton, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolf-skill—25.

Nays.—Messrs. Campbell, Calhoun, Gentry, Harris, Lucas, Mills, O'Bryan and Snell—8.

The constitutional majority having voted for the adoption of the third section, the same was declared duly adopted.

On motion of Mr. Jones,

Resolved by the Senate, That the Secretary be authorised to purchase a suitable desk or case, in which to preserve the files of the Senate during the session, to be paid for out of the money appropriated for contingent expenses.

Mr. Hudspeth gave notice that he would, on to-morrow, ask leave to intro-duce,

A bill for the relief of the collectors of the revenue, generally.

Mr. Shelton gave notice that he would, on Thursday next, or some day there-after, introduce a bill to repeal the present grocery law.

Mr. Snyder gave notice that he would, on to-morrow, or some subsequent day, ask leave to introduce a bill to change the mode of assessing and collecting the revenue.

On motion, the Senate adjourned, until to-morrow morning at nine o'clock.

THURSDAY MORNING, *December 12, 1844.*

The Senate met pursuant to adjournment.

On motion of Mr. Fort,

The business and orders of the day were passed over, and the Senate resol-ved itself into a committee of the whole,

Mr. Monroe in the chair;

And after some time spent therein,

The committee rose, and reported through their chairman,

That they had had under consideration,

An act regulating the action of account,

And reported the same to the Senate without amendment, and recommended its passage. Al-o,

An act concerning advertisements;

And reported the same with an amendment, and recommended its passage.

An act concerning apprentices,

And reported the same without amendment, and recommended its passage.

Also, joint resolutions in relation to the annexation of Texas, and that the committee had adopted a substitute for said resolutions, and recommended its passage. The committee further asked to be discharged from the consideration of the subjects aforesaid;

Which report was read and agreed to.

On motion of Mr. Fort,

The substitute for the joint resolutions in relation to the annexation of Texas

Was taken up and read,

Mr. Lucas moved to amend the substitute as follows:

Resolved further, That our Senators be instructed and our Representatives requested to maintain the tariff of 1842, for the protection of American in-dustry.

Which was decided by the President to be out of order.

Mr. Anderson moved to amend the substitute as follows:

In the first line of the 6th resolution strike out the words "and preserve the peace and harmony of the union."

Mr. Boggs moved to postpone the further consideration of the substitute and amendment until Monday next,

Which was rejected.

Mr. Boggs moved to postpone the consideration of the substituted resolutions and amendment until Saturday next;

Which was negatived by the following vote:

Yeas.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Harper, Lucas, Miller, Mills, Netherton and O'Bryan—12.

Nays.—Messrs. Acock, Fort, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—20.

Sick, Mr. Blythe.

The question then recurred on the adoption of the amendment, and was decided in the negative by the following vote:

Yeas.—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Fort, Netherton and Rawlins—7.

Nays.—Messrs. Acock, Campbell, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—25.

Sick, Same as above.

Mr. Ellis moved to strike out the 6th resolution of the substitute,
Which was determined in the negative by the following vote.

Yeas.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Lucas, Mills, Netherton, Rawlins and Snell—13.

Nays.—Messrs. Acock, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, O'Bryan, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—19.

Sick, Mr. Blythe.

On motion of Mr. Monroe, the vote was then taken on the passage of the substitute, which was determined in the affirmative.

The Senators voting on the different resolutions as follows:

For the adoption of the first resolution of the substitute,

Yeas.—Messrs. Acock, Anderson, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—24.

Nays.—Messrs. Campbell, Calhoun, Gentry, Harris, Lucas, Mills, Netherton and Snell—8.

Sick, Mr. Blythe.

For the adoption of the second and third resolutions.

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—26.

Nays—Messrs. Gentry, Harris, Lucas, Mills, Netherton and Snell—6.

Sick, Mr. Blythe.

For the adoption of the fourth resolution.

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Johnson, Hudspeth, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—23.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Lucas, Mills, Netherton, O'Bryan and Snell—9.

Sick, Mr. Blythe.

For the adoption of the fifth resolution.

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—25.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Lucas, Mills and Snell—7.

Sick, Mr. Blythe.

For the adoption of the sixth resolution.

Yeas—Messrs. Acock, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—18.

Nays—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Lucas, Mills, Netherton, O'Bryan, Rawlins and Snell—14.

Sick, Mr. Blythe.

For the adoption of the seventh and eighth resolutions.

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—23.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Lucas, Mills, Netherton, O'Bryan and Snell—9.

Sick, Mr. Blythe.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled a bill entitled,

An act supplemental to an act entitled an act to survey and mark out the southern boundary line of this State, approved Feb. 11, 1841.

Message from the House of Representatives by Mr. Gilpin their clerk,

MR. PRESIDENT:

The following bill has been introduced into the House:

An act for the relief of C. W. McKissick, of Holt county.

The following revised statutes, have passed the House:

An act declaring certain words actionable.

An act concerning lost money and goods.

An act regulating clerks.

An act concerning escheats.

An act concerning landlords and tenants.

An act to regulate proceedings on writs of mandamus.

An act concerning laws.

An act for the entire abolition of lotteries.

An act directing the fencing and enclosing of furnaces for the smelting of lead.

The President presented a communication from the Secretary of State transmitting the abstract of the census of this State, so far as received,

Which, with the accompanying abstract, was

On motion, laid on the table.

On motion of Mr. Fort.

Resolved, by the Senate, the House of Representatives concurring:

That whenever any bill, order, resolution or other paper is ordered to be printed, by either House, it shall be the duty of the door keeper of the House making such order, to leave one copy of such printed matter, with the Governor and Secretary of State, each.

On motion of Mr. Miller,

Resolved, That the number of copies of the report of the committee appointed to examine the Auditor's and Treasurer's offices, which have been ordered to be printed, shall equal the number of the Auditor's and Treasurer's report, and that the same be stitched with the said last reports.

On motion, the Senate adjourned until to-morrow morning at ten o'clock.

FRIDAY MORNING, *December 13, 1844.*

The Senate met pursuant to adjournment.

Mr. Hudspeth from the committee on elections, to whom was referred the evidence together with the certificate of Jordon O'Bryan, in the contested election between John Miller, and the said O'Bryan, from the twenty-first senatorial district, reported the following resolution, and recommended its adoption.

Resolved, That Jordan O'Bryan, was duly elected to the Senate of the State of Missouri from the 21st senatorial district, composed of the county of Cooper, at the late election, held on the 5th and 6th days of August, 1844, and is legally entitled to his seat accordingly.

The committee also asked to be discharged from the further consideration of the subject.

The report was read, and

On motion of Mr. Fort,

Laid on the table.

Mr. Hancock from the committee on claims, to whom was referred the House bill entitled,

An act for the relief of Thornton Grimsley and others, together with the accompanying documents, reported it back without amendment, and recommended its passage.

The report was read and agreed to and the accompanying bill read a third time and passed.

Mr. Jones from the select committee to whom was referred, the petition of Thomas G. Childers, reported

A bill for the relief of Thomas G. Childers,

Which was read a first time, and ordered to a second reading.

The following bills were on leave of the Senate, severally introduced, read a first time, and ordered to a second reading.

By Mr. Hudspeth:

A bill for the relief of the collectors of the revenue.

By Mr. Polk:

A bill for the relief of the collector of Shannon county.

By Mr. Wolfskill:

An act to concerning a State road.

The following bills were, on leave, severally introduced, read a first time, the rule suspended, read a second time,

And referred as follows:

By Mr. Snyder:

A bill to change the mode of assessing and collecting the revenue,

To the committee of Ways and Means.

By Mr. Monroe:

An act to pay the Adjutant General for extra services imposed by the last General Assembly,

To the committee on the Militia.

A bill for the relief of W. W. Compton,

Was read a second time, and referred to the committee on claims.

Message from the House of Representatives by Mr. Huston, assistant clerk,

MR. PRESIDENT:

The House of Representatives has passed bills of the following titles:

An act concerning salt petre works.

An act concerning oaths and affirmations.

An act respecting notaries public,

And a bill has been introduced into the House entitled,

An act for the relief of certain purchasers of saline lands.

On motion of Mr. Snell,

Resolved, That the Secretary of State be required to furnish the Senate with a copy of the report of the commissioners, appointed by the Governor to purchase a site for the location of the tobacco warehouse in the city of St. Louis.

On motion,

The Senate adjourned till to-morrow morning at ten o'clock.

SATURDAY MORNING, *December 14, 1844.*

The Senate met pursuant to adjournment.

Mr. Blythe presented the petition of sundry citizens of this State praying for the right of way in certain cases, which was read and referred to the committee on internal improvements.

Mr. Reese from the committee on the judiciary to whom was referred a bill entitled,

An act concerning contracts and promises,

Reported it back to the Senate without amendment and recommended its passage, which report was read, and

The accompanying bill read a third time and passed.

Mr. Ellis on leave introduced,

Joint resolutions in relation to donating two brass field pieces of artillery to the Oregon emigrants from this State,

Which were read a first time, the rule suspended, read a second time, and referred to the committee on the judiciary.

Mr. Lucas offered the following:

Resolved, by the Senate and House of Representatives of the State of Missouri,

That the Secretary of State be and he is hereby directed to procure copies of Hutawa's new map of Missouri for the use of the General Assembly.

Which was read a first time, the rule suspended, and read a second time.

Mr. Gentry offered the following substitute:

Resolved by the Senate, That the Secretary of the Senate be and he is hereby directed to procure one copy of Hutawa's new map of Missouri for the use of the Senate, to be paid for out of the fund appropriated to pay the contingent expenses of the General Assembly,

Which was read and accepted by Mr. Lucas.

The question then recurred on the adoption of the substitute,

And was determined in the negative by the following vote:

Yeas.—Messrs. Anderson, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, O'Bryan, and Snell—14.

Nays.—Messrs. Acock, Blythe, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Powers, Rawlins, Reese, Snyder, Welborn and Wolfskill—16.

Sick, Messrs. Boggs and Shelton.

Absent, Mr. Thompson.

On motion of Mr. Rawlins,

Resolved, That the committee on education be instructed to enquire into the expediency of amending an act to provide for the organization, support and government of common schools, approved Feb. 9th, 1839, and that they report by bill or otherwise.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The House has passed a bill entitled,

An act for repairing the Capitol.

The following bills have been introduced into the House;

An act taxing judgments.

An act authorising C. Waldo to build a mill dam on Sac river.

An act to lay off the State of Missouri into congressional districts, and to fix the time of holding congressional elections.

An act for the relief of the heirs of Samuel Lackey, dec'd.

An act for the relief of Joseph Allen, clerk of the circuit court of Dade county and others.

A resolution in favor of Jerusha Lisle.

The Speaker has signed the following enrolled bills:

The Senate bill entitled,

An act supplemental to an act to survey and mark out the southern boundary line of this State, approved Feb. 11th, 1841.

House bills entitled,

An act to change the name of John Boggs.

An act to change the name of Niangua county to Dallas.

Whereupon the President signed the enrolled bills aforesaid, and they were transmitted to the Governor for his approval and signature.

On motion of Mr. Ellis,

The resolutions in relation to the appointment of a committee to examine the condition of the State University, were taken up,

Mr. Monroe moved to amend by adding the following at the end of the second resolution:

And the committee on the part of the Senate shall be elected by that body.

Which was rejected.

The question then recurred on the adoption of the resolutions, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Anderson, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harris, Hudspeth, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan, Rawlins, Reese, Snell and Wolfskill—19.

Nays.—Messrs. Acock, Blythe, Hancock, Harper, Jones, Massey, Monroe, Polk, Powers, Snyder, Thompson and Welborn—12.

Sick, Messrs. Boggs and Shelton.

The President, thereupon, announced Messrs. Ellis and Rawlins, the committee on the part of the Senate, to examine into the condition of the State university.

Mr. Snell on leave, introduced,

A bill to authorise the county court of Boone county, to pay certain monies to the order of the Callaway county court.

Which was read a first time and ordered to a second reading.

Mr. Polk gave notice that he would on Monday, or some subsequent day, ask leave to introduce a bill to improve the road leading from Jackson, in Cape Girardeau county, to Greenville in Wayne county, thence to the State line in Ripley county near Hix's ferry.

On motion of Mr. Blythe, he was excused from serving as chairman of the committee on agriculture.

The following bills were severally read a second time, ordered to be engrossed and read a third time on Monday next.

A bill for the benefit of Thomas G. Childers.

A bill for the relief of the collectors of the revenue.

A bill for the relief of the collector of Shannon county.

The following was read a second time and referred to the committee of ways and means.

A bill to change the mode of assessing and collecting the revenue.

On motion the Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, *December 16, 1844.*

The Senate met pursuant to adjournment.

Mr. Polk presented the petition of sundry citizens of Madison, St. Francois, Shannon and Washington counties in this State, praying for the organization of a new county; which on motion, was referred to the committee on new counties.

Mr. Hancock from the committee on claims, to whom was referred a bill for the relief of William J. Smith and others, reported it to the Senate with the commendation that the same be rejected.

The report was read, and on motion of Mr. O'Bryan, laid on the table.

Mr. Monroe from the joint committee appointed to settle with the Auditor and Treasurer.

Reported, That in obedience to a joint resolution of the two Houses, the committee proceeded on the 13th inst., to burn and did burn all the wolf-scalp certificates, received at the treasury during the two last fiscal years ending 30th Sept. 1844,

Which was read.

Mr. Snyder, from the committee on printing, reported that the committee had contracted with William Weber, for the printing of the message of Governor Marmaduke, and the Inaugural address of Governor Edwards, at the following rates:

For printing one thousand copies of Governor Marmaduke's message in the German language, \$13,33½.

For printing one thousand copies of the Inaugural address of Governor Edwards in the German language, \$24,00.

The report was read and agreed to.

Mr. Lucas from the select committee to whom was referred the petition of William H. Roberts and others, praying the incorporation of the Franklin fire company, in the city of St. Louis, reported a bill entitled,

An act to incorporate the Franklin fire company of St. Louis.

The report was agreed to, and the accompanying bill read a first time, and ordered to a second reading.

Mr. Lucas presented the petition of sundry citizens of St. Louis, praying the incorporation of the St. Vincent's Free School of St. Louis.

Which was read and referred to a select committee consisting of Messrs. Lucas, Mills and Anderson.

Mr. Monroe, on leave, introduced a bill entitled,

An act to appropriate money,

Which was read a first time, the rule sule suspended, read a second time, ordered to be engrossed and read a third time to-day.

On motion of Mr. Hudspeth,

Resolved by the Senate, the House of Representatives concurring therein:

That the select committee on the part of the Senate, and the select committee on the part of the House of Representatives, raised for the purpose of laying off the State into congressional districts, and to provide for the election of members to congress, be instructed and required to act jointly and report the result of their deliberations to their respective Houses.

Mr. Anderson, on leave, introduced a bill entitled,

An ac, to regulate fees of certain officers.

Which was read a first time, and ordered to a second reading.

Mr. Massey, on leave, introduced a bill entitled,

An act for the relief of Joel H. Haden.

Which was read a first time, the rule suspended, read a second time, and referred to the committee on claims.

On motion of Mr. Monroe,

The Senate resolved itself into committee of the whole;

Mr. Monroe in the Chair,

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration a bill entitled,

An act to distribute the proceeds of the sales of the lands donated to this State by congress,

And had instructed him to report the same to the Senate, and asked to be discharged from the further consideration thereof.

The report was read and agreed to.

Message from the House of Representatives by Mr. Gilpin their clerk.

Mr. President:—The following bills have been introduced into the House:

An act relative to the ferry at the City of Jefferson.

An act for the relief of J. T. Quisenberry.

An act allowing fees to clerks in certain cases.

An act to fix the salaries of the several officers of the State, and to pay the members of the General Assembly.

The House has passed the Senate bill entitled,

An act to provide for the collection of the revenue in the county of Cole, with an amendment in which the concurrence of the Senate is requested.

The House has concurred in the resolutions of the Senate appointing a joint committee to visit and examine the university of the State.

Messrs. Watson, Porter and Kirtley of the House have been appointed on said committee.

Mr. Carson of the House communicated the following message:

MR. PRESIDENT:

The House of Representatives has rejected the joint resolutions entitled,

Amendments proposed by the 12th General Assembly, to the constitution of the State of Missouri, in relation to judicial tenures, by the following vote:

Ayes—56, noes—42, absent—1.

Mr. Jones from the committee on engrossed bills reported as truly engrossed,

A bill for the benefit of Thomas G. Childers.

A bill for the relief of the collector of Shannon county.

Also an act concerning a State road.

On motion, the Senate adjourned until 2 o'clock p. m.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President laid before the Senate certain proposals for printing.

Which on motion the reading being dispensed with, were referred to the committee on printing.

On motion of Mr. Acock the House bill entitled,

An act for the relief of A. Finley, jr,

Was taken up, read a first time, the rule suspended read a second and third time and passed.

Mr. Polk submitted the following, which was rejected.

Resolved by the Senate, the House of Representatives concurring therein:

That it is inexpedient, impolitic and unwise, for this Legislature to establish the fifth branch of the bank of Missouri.

On motion of Mr. Miller the bill entitled,

An act to provide for the collection of the revenue in the county of Cole, which had been sent from the House with an amendment,

Was taken up, and the amendment concurred in.

On motion of Mr. Anderson,

Resolved, That the Secretary of State, be and he is hereby authorised to employ a clerk, from time to time, during the present session, as the press of business in the State department may require.

Mr. Campbell from the committee on engrossed bills, reported as truly engrossed a bill entitled,

An act to appropriate money.

Which bill, on motion of Mr. Monroe,

Was read a third time and passed.

Mr. Polk on leave introduced a bill entitled,

An act to provide for the improvement of a State road.

Which was read a first time and ordered to a second reading.

On motion of Mr. Monroe,

The Senate resolved itself into committee of the whole, Mr. Fort in the Chair,

And after some time spent therein, the committee rose and reported through their chairman, that they had had under consideration a bill entitled,

An act to establish a fifth branch of the bank of the State of Missouri,

Had amended the same, and instructed him to ask to be discharged from the further consideration thereof. Also,

An act concerning boatmen,

Had amended the same, and instructed him to report it back to the Senate and recommended the passage thereof as amended.

The report was read and agreed to.

On motion of Mr. Monroe, the bill entitled,

An act concerning boatmen,

Was ordered to be engrossed.

On motion of Mr. Boggs, the bill entitled,

An act to establish a fifth branch of the bank of the State of Missouri,

Was ordered to be engrossed and read a third time on the fifth day of January next.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Dec. 16, 1844. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed a bill entitled,

An act supplemental to an act entitled an act to survey and mark out the southern boundary line of this State, approved February the eleventh, eighteen hundred and forty-one.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

A bill entitled,

An act to authorise the county court of Boone county to pay certain monies to the order of the Callaway county court,

Was read a second time; and on motion, referred to a select committee consisting of Messrs. Snell, Harris and Lucas.

On motion of Mr. Gentry, a bill from the House of Representatives entitled, An act for the relief of Russell W. Moss, late sheriff of Shelby county,

Was taken up, read a first time, the rule suspended, read a second time and referred to the committee on claims.

On motion the Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, *December 17, 1844.*

The Senate met pursuant to adjournment.

Mr. Johnson, on leave of the Senate, introduced

A memorial to the Congress of the United States in relation to diverting the grant of the 500,000 acres of land to common school purposes.

Which was read a first time, the rule suspended, and read a second and third time.

On motion of Mr. Acock,

A call of the House was ordered, when the Senators found to be present was 26.

Absent, Messrs. Campbell, Gentry, Hancock, Mills, Snell and Thompson.

Sick, Mr. Shelton.

Whereupon the sergeant at arms was despatched to notify the absentees.

When Mr. Johnson on leave of the Senate,

Withdrew his memorial.

Mr. Acock from the committee on internal improvements, to whom was referred the petition of sundry citizens of this State on the subject of the right of way, &c.

Reported that they had had the same under consideration, and were of the opinion, that the county courts, had the power under the general road law, to establish roads to churches or any other public places, if required for the public good, and that it would be inexpedient, to grant the prayer of the petitioners.

The report was read and agreed to.

Mr. Reese from the committee on revision,

Reported the following bills without amendment:

An act respecting saline lands.

An act prescribing the manner of electing United States Senators.

An act concerning the office of county surveyor.

An act providing for the election of a commissioner of the permanent seat of government and for other purposes.

The report was read and agreed to, and the accompanying bills read a first time and ordered to a second reading.

On motion the rule was suspended and the bill entitled,

An act to prescribe the manner of electing United States Senators,

Was read a second time.

Mr. Monroe moved to refer the bill to the committee of the whole,

Which was rejected.

Mr. Fort moved to dispense with the printing of the bill, which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Ellis, Fort, Gentry, Harris, Johnson, Massey, Mills, Rawlins, Reese, Snell and Snyder—13.

Nays—Messrs. Anderson, Blythe, Boggs, Calhoun, Detchemendy, Hancock, Harper, Hudspeth, Jones, Miller, Monroe, Netherton, O'Bryan, Polk, Powers, Thompson, Welborn and Wolfskill—18.

Absent, Mr. Lucas.

Sick, Mr. Shelton.

On motion of Mr. Acock,

The bill was ordered to be engrossed and read a third time.

The rule was dispensed with and the following bills were severally read a second time, referred to the committee of the whole and ordered to be printed.

An act respecting saline lands.

An act concerning the office of county surveyor.

An act providing for the election of a commissioner of the permanent seat of government and for other purposes.

On motion of Mr. Rawlins,

The report of the committee on claims relative to a bill for the relief of William J. Smith and others,

Was taken up.

Mr. Rawlins moved to disagree to the report, when

The question on agreeing to the report, was taken and determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Campbell, Calhoun, Detchemendy, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Massey, Miller, Mills, Monro, Powers, Reese, Snell, Snyder, Thompson and Welborn—22.

Nays.—Messrs. Boggs, Ellis, Johnson, Jones, Lucas, Netherton, O'Bryan, Polk, Rawlins and Wolfskill—10.

Sick, Mr. Shelton.

Mr. Monroe submitted the following:

Resolved, that the committee on internal improvements be instructed to report a bill to suspend the distribution of the road and canal fund, among the several counties, and pledging the same that may hereafter accrue to the State to the carrying into effect the object of the framers of the constitution, as expressed in the seventh article of that instrument.

Which was read and passed over for the present.

On motion of Mr. Anderson,

The vote on the adoption of the resolution authorising the Secretary of State to employ a clerk, was reconsidered.

Mr. Anderson then offered the following substitute:

Resolved, by the Senate, the House of Representatives concurring therein:

That the Secretary of State be authorised to employ a clerk in his office from time to time, during the present session, as the press of public business may require, and that payment for the services of said clerk, be made out of the contingent fund of the Secretary of State.

Which was read a first time, the rule suspended, read a second and third time, and negatived by the following vote:

Yeas—Messrs. Anderson, Campbell, Detchemendy, Ellis, Hancock, Harper, Jones, Miller, Mills, Monroe, Polk, Snyder, Welborn and Wolfskill—14.

Nays—Messrs. Acock, Blythe, Boggs, Calhoun, Fort, Gentry, Harris, Hudson, Johnson, Lucas, Netherton, O'Bryan, Powers, Reese, Snell and Thompson—16.

Sick, Mr. Shelton.

Absent. Messrs. Massey, and Rawlins.

Mr. Wolfskill on leave of the Senate withdrew

A bill for the relief of William J. Smith and others.

On motion of Mr. Reese,

Resolved, That the committee on internal improvements, be instructed to enquire into and report to the Senate the expediency of establishing a board of internal improvements whose duty it shall be to continue the examination of such rivers and roads, as were not reached, examined, and reported upon, by the former board, and report their several capabilities and the probable expense of improving the same, to the advantage of the public.

On motion of Mr. Campbell,

Resolved, That the librarian, shall as soon as it can be conveniently done, arrange all the books in the library, (public land documents excepted) in regular order, according to their dates and subjects.

On motion of Mr. Hancock the house bill entitled,

An act to locate the county seat of Bates county,

Was taken up, read a first time the rule suspended, read a second time, and on motion of Mr. Boggs, passed over for the present.

On motion of Mr. Jones a bill entitled,

An act for the benefit of Thomas G. Childers,

Was taken up, read a third time and passed.

A bill entitled,

An act to regulate fees of certain officers,

Was read a second time and,

Referred to a committee of the whole.

Mr. Monroe on leave of the Senate, introduced a bill entitled,

An act relating to the distribution of the road and canal fund,

Which was read a first time, the rule suspended, read a second time and referred to a committee of the whole.

On motion the Senate adjourned till 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

The following bill was read a second time, and referred to the committee on internal improvements.

An act to provide for the improvement of a State road.

The following was read a second time, considered as engrossed, and passed over for the present,

An act to incorporate the Franklin Fire company.

The following bills, on motion of Mr. Acock, were severally ordered to be engrossed.

An act regulating the action of account.

An act concerning advertisements, and

An act concerning apprentices:

The following bills from the the House of Representatives were severally read a third time and passed.

An act to provide for an additional justice of the peace in St. Louis county.

An act amendatory of an act incorporating the Missouri Fire Company.

An act amendatory and explanatory of an act to fix the time of holding circuit courts, approved Feb. 24th, 1843.

The following were read and passed over for the present.

An act to survey and mark out a State road from Bolivar in Polk county to Fort Scott.

An act for establishing and keeping in repair roads and highways in the counties of St. Charles, Warren, Lincoln, Pike and Montgomery.

The following Senate bills were read a third time and passed.

An act for the relief of the collector of Shannon county, and

An act concerning a State road.

On motion the Senate resolved itself into committee of the whole—Mr. Monroe in the chair.

And after some time spent therein, the committee rose, and reported through their chairman,

That they had had under consideration,

A resolution instructing the committee on internal improvements, to report a bill to appropriate the proceeds of the sales of the 500,000 acres of land donated to this State by Congress,

And without having any definite action thereon had instructed him to report progress, and ask leave to sit again.

The report was read and agreed to.

Message from the House of Representatives by Mr. Gilpin their clerk,

MR. PRESIDENT:

The House has adopted the following resolutions:

1. *Resolved, by the House of Representatives the Senate, concurring therein:*

That the Secretary of State, in pursuance of existing laws and further instructions upon the subject be and he is hereby required to contract for the printing and publication of ten thousand copies of the statutes now under revision by the General Assembly of the State of Missouri; four thousand copies of the journals of the two Houses; and four thousand copies of the private acts and resolutions of the present General Assembly.

2. *Resolved,* That the original acts of a public nature of the present General Assembly, be published with the statutes, as above named, and bound in one volume with them. Also the speaker has signed the enrolled bill entitled,

An act for the relief of Thornton Grimsley and others.

On motion,

The Senate adjourned till to-morrow morning at 10 o'clock, A. M.

WEDNESDAY MORNING, December 18, 1844.

The Senate met pursuant to adjournment.

Mr. Hudspeth presented the petition of sundry citizens of Gasconade county, praying for the incorporation of the town of Herman.

Which was read, and referred to a select committee, consisting of Messrs. Hudspeth, Polk and Detchemendy.

Mr. Hancock, from the committee on claims, to whom was referred a bill from the House of Representatives, entitled:

An act for the relief of Russel W. Moss, late Sheriff of Shelby county,

Reported it back with an amendment.

The report was read and agreed to, and the bill, as amended, was read a third time and passed.

Mr. Campbell, from the committee on engrossed bills, reported as truly en-

grossed, bills of the following titles:

An act concerning boatmen.

An act to establish a fifth branch of the bank of the State of Missouri.

An act prescribing the manner of electing United States Senators.

Mr. Acock, from the committee on internal improvements, to whom was referred the resolution of the Senate, on the subject of so changing the law in relation to roads and highways, as to operate by equal taxation,

Reported, That the committee were of opinion that it would be inexpedient, and asked to be discharged from the further consideration of the subject.

The report was read and agreed to.

Mr. Acock, from the same committee, to whom was referred a bill entitled:

An act to provide for building bridges,

Reported the same back to the Senate—with amendments.

Which were read and agreed to, and

The bill ordered to be engrossed.

Mr. Massey, from the committee on the militia, to whom was referred a bill entitled:

An act to pay the Adjutant General for extra services imposed by the last General Assembly,

Reported a substitute therefor, which was read.

Mr. Thompson moved to lay the report together with the substitute, on the table.

Which was rejected.

Mr. Thompson moved to amend as follows:

Strike out of the substitute "one hundred and thirty dollars" and insert "three hundred;" which was read.

Mr. Boggs moved to amend the amendment as follows:

Strike out "three hundred dollars" and insert in lieu thereof, "two hundred dollars,

Which was read and rejected.

The question then recurred on the adoption of the amendment offered by Mr. Thompson, and was determined in the negative, by the following vote:

Yeas—Messrs. Blythe, Detchemendy, Hudspeth, Miller, Monroe, Polk, Reese, and Thompson—8.

Nays—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Johnson, Jones, Massey, Mills, Netherton O'Bryan, Powers, Rawlins, Snell, Snyder, Welborn and Wolfskill—22.

Absent, Mr. Anderson.

Absent on leave, Mr. Lucas.

Sick, Mr. Shelton.

Mr. Detchemendy moved to amend as follows:

Amend by inserting "one hundred and eighty dollars," in place of "one hundred and thirty dollars."

Which was read and rejected.

Mr. Monroe moved to amend as follows:

"Strike out one hundred and thirty and insert one hundred and seventy-five,"

Which was read.

Mr. Rawlins called for a division of the question, when the question was taken on the first branch of the proposition of the proposed amendment, to strike out one hundred and thirty,

And was determined in the negative by the following vote:

Yeas.—Messrs. Blythe, Boggs, Campbell, Detchemendy, Gentry, Hancock

Hudspeth, Jones, Miller, Monroe, Polk, Reese and Thompson—13.

Nays.—Messrs. Acock, Calhoun, Ellis, Fort, Harper, Harris, Johnson, Massey, Mills, Netherton, O'Bryan, Powers, Rawlins, Snell, Snyder, Welborn and Wolfskill—17.

Absent, Mr. Anderson—on leave, Mr. Lucas.
Sick, Mr. Shelton.

The question then recurred on agreeing to the report and was determined in the affirmative by the following vote:

Yeas.—Messrs. Blythe, Boggs, Calhoun, Detchemendy, Ellis, Hancock, Harper, Johnson, Jones, Massey, Miller, Mills, Netherton, O'Bryan, Powers, Rawlins, Reese, Snell, Thompson and Welborn—20.

Nays.—Messrs. Acock, Campbell, Fort, Gentry, Harris, Hudspeth, Monroe, Polk, Snyder and Wolfskill—10.

Absent and sick, same as above.

The substitute was then

Read a third time and passed.

Mr. Reese from the joint committee on revision,

Reported without amendment, the following bills,

An act concerning mills and mill dams.

An act concerning witnesses, and

An act to prevent certain trespasses.

The report was read, and the accompanying bills read a first time and ordered to a second reading.

The bill entitled,

An act concerning mills and mill dams,

A suspension of the rule being ordered, was read a second time.

Mr. Boggs moved to refer it to a committee of the whole,

Which was rejected, and

On motion of Mr. Massey, it was

Referred to the committee on agriculture.

Mr. Acock moved to dispense with the printing of the bill,

Which was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Campbell, Ellis, Fort, Gentry, Harris, Netherton, Rawlins, Reese, Snell, Snyder and Wolfskill—12.

Nays.—Messrs. Blythe, Boggs, Calhoun, Detchemendy, Hancock, Harper, Hudspeth, Jones, Massey, Miller, Mills, Monroe, O'Bryan, Polk, Powers, Thompson and Welborn—17.

Absent and sick, same as above.

Mr. Johnson, excused from voting.

On motion, the rule was suspended, and the following bills were severally read a second time, and referred to a committee of the whole.

An act concerning witnesses,

Which under the rule of the Senate was ordered to be printed.

An act to prevent certain trespasses.

Mr. Acock moved to dispense with the printing of the bill entitled.

An act concerning witnesses,

And determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Campbell, Ellis, Fort, Gentry, Harris, Johnson, Jones, Mills, Netherton, Rawlins, Reese, Snell, Snyder and Wolfskill—15.

Nays—Messrs. Blythe, Boggs, Calhoun, Detchemendy, Hancock, Harper, Hudspeth, Massey, Miller, Monroe, O'Bryan, Polk, Powers, Thompson, and Welborn—15.

Sick and absent—same as above.

The Senate being equally divided the President gave the casting vote in the affirmative.

Message from the House of Representatives by Mr. Huston, assistant clerk.

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the enrolled bill entitled,

An act for the benefit of A. Finley, jun.

Which was signed by the President of the Senate, and transmitted to the Governor for his approval and signature.

Mr. Monroe offered the following:

Resolved by the Senate, that the evidence and other papers connected with the contested election of Mr. O'Bryan, be referred back to the committee on elections, with instructions that they report the number of contested votes on each side, which are considered good, the names of the votes by them rejected on each side, and also whether the ground of rejection was the illegality of the voter, or informality in receiving the same; that they state the majority of the person that they consider entitled to the seat.

Mr. Mills moved to amend the resolution as follows:

Insert between the words "side" and "and," in tenth line the following, "with the reasons for such rejection." Also, insert between the words "same" and "that" in the thirteenth line, the following: "and if for informality, state the informality, also the kind of notice given by the contestor, and the exception to that notice.

Which amendment was accepted by Mr. Monroe.

Mr. Harris moved to lay the resolution on the table,

Which was rejected.

The question was then taken on the adoption of the resolution as amended, and determined in the affirmative.

Mr. Mills asked and obtained leave of absence for Mr. Lucas, until the first day of January next.

Mr. Fort asked and obtained leave of absence for the President of the Senate, after Monday next.

On motion, the Senate adjourned, until to-morrow morning at ten o'clock, A. M.

THURSDAY MORNING, December 19, 1844.

The Senate met pursuant to adjournment.

Mr. Hancock, from the committee on claims, to whom was referred,

A bill for the relief of W. W. Compton,

Reported it back to the Senate with the recommendation that the same be rejected.

The report was read and laid on the table.

Mr. Hancock, from the same committee, to whom was referred,

A bill for the relief of Joel H. Hayden,

Reported it back—with an amendment.

The report was read and agreed to.

And the accompanying bill was read a third time, and passed as amended.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled a bill entitled:

An act to provide for the collection of the revenue in Cole county.

Mr. Monroe, from the committee to whom was referred so much of the Governor's message as relates to the memory of the late Governor Reynolds,

Reported a bill entitled,

An act to provide for erecting a suitable tomb over the remains of Thomas Reynolds, late Governor of Missouri.

The report was agreed to, and

The accompanying bill was read a first time.

The rule suspended, and

The bill read a second time, considered as engrossed,

And, on a further suspension of the rules,

Was read a third time and passed.

Mr. Jones submitted the following:

Resolved by the General Assembly of the State of Missouri, as follows:

That the indexes, and references to the different subjects, and the notes of the decisions of the supreme court on adjudicated points, as reported by the commissioners appointed to revise and digest the statutes, be printed and published in the statutes of revision for the years 1844 and 1845.

Which was read a first time, the rule suspended and

Read a second time, and

On motion of Mr. Mills, passed over for the present.

On motion of Mr. Massey:

Resolved, by the Senate, the House of Representatives concurring therein:

That the committee on the militia, of the two Houses, be instructed and required to act jointly touching the general organization of the militia, and report the result of their deliberations to their respective Houses.

On motion of Mr. Monroe.

Resolved, That in printing the bills reported by the revising committee, the marginal notes made by the commissioners appointed by the last General Assembly, shall be suitably arranged and printed with the bills.

Leave of absence was asked and obtained by and for the several Senators designated as follows:

Mr. Anderson—for Mr. Monroe, until the 30th December, inst.

Mr. Massey—for Mr. Welborn, from Monday next until the first Monday of January next.

Mr. Jones—for Mr. Detchemendy until Monday, the 4th January next.

Mr. Monroe—for Mr. Gentry, for a few days after Saturday next.

Mr. Johnson—for Mr. Wolfskill, until the 10th January next.

Mr. Polk—for Mr. Hancock, from Monday next, until the first of January next.

Mr. Netherton—for Mr. Powers, for a few days.

Mr. Monroe—for Mr. Snell, for a few days.

Mr. Fort—for Mr. Campbell, from Monday next, until Monday, the 4th day of January next.

Mr. Johnson—for Mr. Boggs, from Monday next until the first Monday in January next.

Mr. Welborn—for Mr. Massey, until the first of January next.

Mr. Polk, on leave, introduced a bill entitled,

An act to authorise the county court of Madison county to use certain paper.

Which was read a first time and ordered to a second reading.

On motion of Mr. Acock,

The committee of the whole was discharged from the further consideration of the resolution on the subject of the 500,000 acres of land, and the same, together with the substitute offered in committee of the whole, was referred to the committee on internal improvements.

On motion, the Senate resolved itself into a committee of the whole,
Mr. Monroe in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That the committee had had under consideration a bill entitled,

An act respecting Grand Jurors,

And had instructed him to recommend to the Senate to strike out the first section of the bill, together with the enacting clause.

Also, a bill entitled,

An act respecting Circuit Judges,

Had amended the same, agreed to it as amended, and had instructed him to report it back to the Senate for its further action thereon. Also,

A bill in relation to locating State roads,

Had amended the same, agreed to it as amended, and had instructed him to report it back to the Senate for its further action thereon, and to ask to be discharged from the further consideration of the bills aforesaid.

The report was read, and

On motion of Mr. Miller,

That portion of the report in relation to a bill entitled,

An act respecting grand jurors,

Was laid on the table.

The remainder of the report was agreed to.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. PRESIDENT:—

Bills of the following titles have passed the House of Representatives:

A bill authorising Hoard Roberts to become guardian for his children.

An act respecting the northern boundary of the State. Also,

Joint resolutions instructing our Senators in relation to the annexation of Texas.

Bills of the following titles have been introduced into the House.

An act relating to jurors.

An act authorising Henry P. Gaines to peddle without license.

An act for the relief of John A. Dougherty and others; also,

Joint resolutions in relation to criminal costs.

Also, was read in the House, the act of Congress entitled: an act respecting the northern boundary of the State of Missouri, accompanied by a communication from the Hon. John C. Calhoun, Secretary of State.

The House has concurred in the resolution of the Senate, proposing the joint action of the committees of the two Houses on the organization of new counties.

Also, the House has adopted the following resolution:

Resolved, That the Senate be respectfully requested to return to the House the resolution, which passed the House on yesterday, authorizing the Secretary of State to contract for printing a certain number of the laws and journals, that the House may correct an error committed in the passage of said resolution.

Also, a bill entitled:

An act for the relief of persons erroneously charged with Taxes, has been introduced into the House.

On motion of Mr. Welborn:

Resolved, by the Senate, That the resolution passed by the House, authorizing

the Secretary of State to contract for printing a certain number of the laws and journals, be returned to the House.

On motion of Mr. Monroe,

The following bills were ordered to be engrossed:

An act respecting circuit judges, and

A bill in relation to locating State roads.

The President presented a communication from the Secretary of State transmitting a copy of the report of the commissioners appointed by the Governor to purchase a site for the location of the Tobacco Warehouse in the city of St. Louis.

The communication was read, the reading of the accompanying report dispensed with, and,

On motion, laid on the table.

Mr. Rawlins from the committee on enrolled bills,

Reported that the enrolled bill entitled,

An act to provide for the collection of the revenue in the county of Cole,

Had been presented to the Governor for his approval and signature.

On motion, the Senate adjourned till 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Fort,

The House bill entitled,

An act respecting the northern boundary of this State,

Was taken up and read a first time, the rule suspended,

Read a second time, and

On motion of Mr. Gentry,

Laid on the table until to-morrow.

The following bills from the House of Representatives, were severally read a first time, the rule suspended, read a second time, and on a further suspension of the rule, read a third time and passed.

An act regulating the removal of officers by address.

An act concerning depositions.

An act to enable counties to make contracts, and to hold and convey real estate.

An act concerning attornies at law.

An act respecting aliens.

An act declaring certain words actionable.

An act concerning lost money and goods.

An act directing the fencing and enclosing of furnaces for the smelting of lead.

An act concerning laws.

An act for the entire abolition of lotteries.

An act concerning landlords and tenants.

An act concerning escheats.

The following bill was read a first time, and ordered to a second reading:

An act respecting the Attorney General, circuit and county attornies.

The following bill was read a first time, the rules suspended, and read a second time:

An act regulating the mode of taking the census.

Mr. Monroe moved to refer it to a committee of the whole, which was rejected,

And the bill was ordered to a third reading.

The following bill was read a first time, the rule suspended, and read a second time:

An act to regulate proceedings on writs of mandamus.

Mr. Massey moved to refer it to a committee of the whole,
Which was rejected.

And the bill was ordered to a third reading.

The bill entitled:

An act regulating clerks,

Was read a first time, the rule suspended,

Read a second time, and ordered to a third reading, and

On motion of Mr. Acock,

The printing was dispensed with.

Message from the House of Representatives by Mr. Huston, assistant clerk,

MR. PRESIDENT:

The Speaker of the House of Representatives has signed bills of the following titles, which are herewith presented to the President of the Senate for his signature.

An act for the relief of Russell W. Moss, late sheriff of Shelby county.

An act to provide for an additional justice of the peace for St. Louis county.

An act amendatory of an act incorporating the Missouri Fire company, approved January 29th, 1841.

Whereupon the President of the Senate signed the accompanying enrolled bills.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Dec. 19, 1844. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed a bill of the following title,

An act to provide for the collection of Revenue in the county of Cole.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Mr Fort presented the report of the Inspectors of the Penitentiary, which, motion, the reading being dispensed with,

Was referred to the committee on the penitentiary, and ordered to be printed.

On motion of Mr. Acock, the votes on the passage of the following House bills were severally reconsidered, viz:

An act concerning escheats.

An act concerning landlords and tenants.

An act directing the fencing and enclosing of furnaces for the smelting lead.

An act respecting lost money and goods.

Mr. Monroe moved to amend the bill entitled,

An act concerning escheats,

By way of ryder, as follows: by inserting between the title and the first section, the following:

Be it enacted by the General Assembly of the State of Missouri, as follows:

Which was read a first time, the rule suspended,

The ryder read a second time, considered as engrossed,

And read a third time, when the bill as amended passed.

Mr. Campbell moved to amend the house bill entitled,

An act concerning landlords and tenants,

By way of ryder, as follows:

Insert between the title and the first section of the bill the following:

"Be it enacted by the General Assembly of the State of Missouri, as follows,"

Which was read a first time the rule suspended, the ryder read a second time, considered as engrossed, and read a third time, when the bill as amended passed.

Mr. Miller moved to amend the House bill entitled,

An act directing the fencing and enclosing of furnaces for the smelting of lead,

By way of ryder, as follows:

Insert between the title and the first section of the bill the words, "be it enacted by the General Assembly of the State of Missouri, as follows:"

Which was read a first time, the rule suspended, the ryder read a second time, considered as engrossed, and read a third time, when

The bill as amended passed.

Mr. Fort moved to amend the House bill entitled,

An act respecting lost money and goods,

By way of ryder, as follows:

Insert between the title of the bill and the first section the following:

"Be it enacted by the General Assembly of the State of Missouri, as follows:"

Which was read a first time, the rule suspended,

The ryder read a second time, considered as engrossed,

And read a third time, when,

The bill as amended passed.

On motion of Mr. Monroe,

Resolved, That the bill from the House entitled,

An act regulating clerks,

Be returned to the House with a respectful request that the same be enrolled.

Mr. Jones submitted the following:

1. *Resolved*, That a committee of two be appointed whose duty it shall be to proceed to the city of St. Louis, and examine into the condition of the State tobacco warehouse, and the prospects of its success.

2. That the said committee have power to send for persons and papers, and make full report to the Senate of all their actings and doings.

Which was read and rejected, and

On motion, the Senate adjourned

FRIDAY MORNING, *December 20, 1844.*

The Senate met pursuant to adjournment.

Mr. Snell, from the select committee to whom was referred,

A bill to authorise the county court of Boone county, to pay certain monies to the order of the Callaway county court,

Reported it back with an amendment, and recommended the passage of the bill as amended.

The report and amendment were read and agreed to,

And the accompanying bill,

Was read a third time, and passed.

On motion of Mr. Anderson,

The vote on the rejection of the resolutions in relation to the appointment of

a committee to examine the State tobacco warehouse, was reconsidered,

And the resolutions being before the Senate,

Mr. Polk offered the following amendment:

Strike out "actings and doings," in the 2nd resolution, and insert in lieu thereof, "all their proceeding respecting said warehouse."

Which was accepted by Mr. Jones.

Mr. Mills moved to amend by striking out the word "2" where it occurs in the first resolution, and insert in lieu thereof "3."

Which was rejected.

Mr. Hudspeth moved to amend as follows.

Strike out the words "and have power to send for persons and papers."

Which was adopted, and

On motion of Mr. Monroe,

The resolutions were passed over for the present.

Mr. Boggs asked and obtained leave of absence for Mr. Harris from Monday next, until the first of January next.

The following bill was read a second time, and ordered to be engrossed and read a third time, to-morrow.

An act to authorize the county court of Madison county to use certain paper.

The following was also read a second time:

An act respecting the Attorney General, circuit and county attorneys.

Mr. Monroe moved to refer the bill to a committee of the whole.

Which was rejected, and

The bill was ordered to a third reading.

Message from the House of Representatives by Mr. Gilpin their clerk.

Mr. President:—The following bills have been introduced into the House of Representatives:

An act for the relief of Lafayette Thompson.

An act to survey and mark out the boundary line between the counties of Taney and Decatur.

An act to view and mark out a state road from Donahoe's Lane, in Boone county, to Parsons' in Cooper county.

An act to establish probate courts.

An act to repeal a portion of an act to amend an act to regulate Ferries, approved February 11th, 1841.

The following bills have been introduced into the House and passed.

An act to legalize the proceedings of the Trustees of Weston, in Platte county, and for other purposes.

An act for the benefit of the minor heirs of Thomas Wright, deceased, late of St. Louis county.

An act to establish a state road from Weston to St. Josephs.

The following bill has been introduced into the House and indefinitely postponed.

An act to amend an act to provide for the call of a convention, approved February 27th, 1843.

The House of Representatives has agreed to the amendments of the Senate to the House bill entitled,

A bill for the relief of William Thrailkill.

Also, the House has passed a bill entitled,

An act relative to the ferry at the City of Jefferson.

Mr. Campbell from the committee on engrossed bills, reported as truly engrossed bills entitled,

An act concerning advertisements, and

An act concerning apprentices:

An act to provide for building bridges.

The following Senate bills were severally read a third time and passed:

An act concerning advertisements.

An act concerning apprentices.

An act concerning boatmen,

An act to provide for building bridges.

An act to incorporate the Franklin Fire company.

An act providing the manner of electing United States Senators.

On motion of Mr. Boggs,

The following House bill was referred to a select committee composed of Messrs. Boggs, Hancock and Acock, viz:

An act to locate the county seat of Bates county,

The following House bills were severally read a third time and passed.

An act to regulate the mode of taking the census.

An act to regulate proceedings upon writs of madamus.

The following House bill was read a third time:

An act respecting the Northern boundary of this State.

Mr. Gentry moved to amend by way of rider, as follows:

At the end of the 1st section add the following to come in as a proviso, "Provided, however, that said commissioners shall conform to the provisions contained in the constitution of the State of Missouri, relative to said boundary.

Which was read a first time, and

On motion of Mr. Blythe,

The bill and rider were referred to the committee on Federal Relations.

On motion of Mr. Monroe,

The Senate resolved itself into a committee of the whole, Mr. Monroe in the chair, and after some time spent therein, the committee rose and reported through their chairman.

That the committee had had under consideration a bill entitled:

An act to provide for the erection of county buildings.

And had instructed him to report the same to the Senate for its further action thereon. Also,

An act respecting constables,

Had made some progress therein, and asked leave to sit again.

Which was read and laid on the table.

Mr. Jones, from the committee on Federal Relations, to whom was referred the House bill entitled: An act respecting the Northern Boundary of this State, together with the rider offered by Mr. Gentry, reported the bill back—with an amendment.

The report was read and agreed to, and the bill passed over for the present.

Mr. Polk asked and obtained leave of absence for Mr Hudspeth, from Monday next until the 1st of January.

On motion of Mr. Monroe,

Ordered that 500 copies of the report of the inspectors of the penitentiary be printed.

On motion the Senate adjourned till 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Johnson,

The House bill entitled,

An act to legalize the proceedings of the trustees of the town of Weston, in Platte county, and for other purposes,

Was taken up and read a first time, and

On his motion, the rule was suspended,

The bill read a second time, the rule further suspended,
The bill read a third time and passed.

On motion of Mr. Miller, the House bill entitled,

An act relative to the ferry at the city of Jefferson,

Was taken up, read a first time, the rule suspended, and the bill
Read a second and third time, and passed.

On motion of Mr. Fort,

The rules were suspended, and the House bill entitled,

An act respecting the Attorney General, circuit and county attorneys,
Was taken up and read a third time.

Mr. Fort moved to amend by way of ryder, as follows:

Strike out from the 20th section inclusive to the end of the bill,

Which was read a first time,

The rule suspended, and read a second time.

The question was then taken on ordering the ryder to a third reading, and
decided in the negative by the following vote-

Yeas.—Messrs. Fort, Hancock, Jones, Netherton and Snyder—5.

Nays—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Gentry,
Harper, Harris, Johnson, Miller, Mills, Monroe, O'Bryan, Polk, Reese, Snell,
Thompson, Welborn and Wolfskill—20.

Absent—Messrs. Detchemendy, Hudspeth and Massey.

On leave—Messrs. Powers and Lucas.

Absent on committee to visit the State University—Messrs. Ellis and Raw-
lins.

Sick—Mr. Shelton.

Mr. Acock, moved to amend by way of ryder, as follows:

Amend the 20th section of the bill by striking out all after the word "year,"
in the fourth line of said section,

Which was read a first time, the rule suspended,

Read a second time, considered as engrossed,

And read a third time.

Mr. Fort moved to amend by way of ryder, as follows:

Add as a 24th section, at the end of the bill,

SEC. The county court of Randolph county shall not be permitted to appoint
a county attorney, as provided in the 20th section of this act.

Which was read a first time, the rule suspended,

Read a second time, considered as engrossed, the rule further suspended, and

Read a third time, when

The bill as amended passed.

Mr. Monroe, on leave, laid before the Senate a map of the State of Missou-
ri, as a present from Mr. Edward Hutawa, the author and publisher thereof, to
the Senate:

Which, on motion, was received and referred to a select committee consisting
of Messrs. Monroe, Reese, Jones, Welborn, Fort, Thompson and Mills.

On motion of Mr. Gentry,

The House bill entitled,

An act respecting the northern boundary of this State,

Was taken up and read.

Mr. Gentry moved to amend by way of ryder, as follows:

Add the following to the 1st section, to come in as a proviso, "Provided, how-
ever, that said commissioners shall conform to the provisions contained in the
constitution of the State of Missouri, relative to said boundary.

Which was read,

And objections being made thereto, the question on the rejection of the ryder was determined in the affirmative, by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Mills, Monroe, O'Bryan, Polk, Reese, Snyder, Thompson, Welborn and Wolfskill—19.

Nays.—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Miller, Netherton and Snell—8.

Absent, Mr. Detchemendy.

On leave, Messrs. Lucas and Powers.

On University Committee, Messrs. Ellis and Rawlins.

Sick, Mr. Shelton.

The question then recurred on the passage of the bill, and was decided in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Reese, Snyder, Thompson, Welborn and Wolfskill—21.

Nays.—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris and Snell—6.

Absent and sick as above.

On motion of Mr. Monroe,

The report of the committee of the whole, which was laid on the table,

Was taken up and agreed to.

And the bill entitled,

An act to provide for erecting county buildings,

Was ordered to be engrossed.

Mr. Boggs gave notice that on to-morrow, or some subsequent day during the present session, he would ask leave to introduce a bill to establish a state road from the town of Sibley, in Jackson county, to Harrisonville, in Van Buren county.

Mr. Campbell, on leave, presented the petition of William M. Campbell, Geo. W. Waters, A. B. Chambers, Wm. C. Jones and Hiram Goodrich, praying for the incorporation of the Missouri Historical and Philosophical Society.

Which was read.

Also, a bill entitled,

An act to incorporate the Missouri Historical and Philosophical Society.

Which was read a first time, the rule suspended,

Read a second time, and considered as engrossed.

Mr. Monroe moved to amend as follows, to come in as an additional section:

Section 6. The General Assembly reserves the right to repeal this act.

Which was read and agreed to,

When the rule was further suspended,

And the bill read a third time and passed as amended.

On motion of Mr. Jones, the resolutions in relation to the appointment of a committee to examine the State Tobacco Warehouse were taken up.

Mr. Jones offered the following substitute:

Resolved by the Senate, the House of Representatives concurring therein:

That a committee of two be appointed by the Senate, to act in conjunction with the committee already appointed by the House of Representatives, whose

duty it shall be to proceed to the city of St. Louis, and to examine as to the prospects of the State Warehouse, and to report to both Houses of the General Assembly every thing appertaining to said warehouse, which they may deem material and beneficial.

Which was adopted by the following vote:

Yeas.—Messrs. Anderson, Blythe, Boggs, Calhoun, Detchemendy, Fort, Harper, Hudspeth, Johnson, Jones, Miller, Mills, Monroe, O'Bryan, Reese, and Thompson —15.

Nays.—Messrs. Acock, Campbell, Gentry, Hancock, Harris, Massey, Netherton, Polk, Snell, Snyder, Welborn and Wolfskill—12.

Absent and sick, same as above.

Whereupon the President announced Messrs. Jones and Detchemendy, as said committee on the part of the Senate.

On motion the Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY MORNING, *December 21, 1844.*

The Senate met pursuant to adjournment.

Mr. Jones, from the committee on engrossed bills, reported as truly engrossed, bills entitled:

An act regulating the action of account.

An act in relation to locating state roads.

An act to authorize the county court of Madison county, to use certain paper.

An act respecting circuit Judges.

On motion of Mr. Fort,

Resolved, That the Engrossing and Enrolling clerks of the Senate, be directed to carefully copy the index, marginal notes, and references, appended to the bills reported to the General Assembly by the commissioners of revision, and that the committee on engrossed and enrolled bills be required to carefully compare the copies with the originals and correct any error that may be found in the same.

The following Senate bills were severally read a third time and passed.

An act regulating the action of account, and

An act to authorise the county court of Madison county to use certain paper.

The following were severally read a third time, and laid on the table until the 15th of January next:

An act respecting circuit judges, and

An act in relation to locating State roads.

Message from the House of Representatives by Mr. Huston, assistant clerk:

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act for the relief of Edward Hunting.

An act to secure to married women the use and enjoyment of their own property.

An act to authorise the Auditor of Public Accounts to draw his warrant in favor of the clerk of the Barry circuit court.

An act for the relief of Francis Parker, clerk of Lincoln circuit court.

The House has considered and agreed to the amendment of the Senate to the bill entitled,

An act for the relief of William Thrailkill.

Also, to the revised law entitled,

An act concerning landlords and tenants.

The House has amended the amendment of the Senate to the bill entitled,

An act to repeal an act to provide for the sale of land for the taxes, approved Feb. 27th, 1843,

And requests the concurrence of the Senate thereto.

The House has amended the Senate bill entitled,

An act to authorize guardians of minors, idiots and lunatics to receive and remove from this State any property to which said wards may be entitled.

And passed the same as amended.

The House has concurred in the resolution of the Senate, for the joint action of the committees of the two Houses appointed to inspect and report upon the State Tobacco Warehouse at St. Louis.

On motion of Mr. Acock, the amendments of the House to the Senate bill entitled,

An act to authorize guardians of minors, idiots and lunatics, to receive and remove from this State any property to which such ward may be entitled,

Were taken up and concurred in.

Mr. Monroe, from the select committee to whom was referred the map of this State, presented to the Senate by Mr. Edward Hutawa, on leave of the Senate, made the following

REPORT:

The select committee to whom was referred the sectional map of Missouri, presented to the Senate by Mr. Edward Hutawa, have examined the same, and take pleasure in expressing themselves highly satisfied with its execution and general design.

A map of this State, containing all its territory, the various changes of its county lines, consequent on the formation of new counties, and the sectional divisions of its soil, under the surveys of the United States, has long been desired. The publisher has not only exhibited all this information on the map submitted to your committee, but he has also marked the various grants made to individuals before the formation of the State government, and finished his work in a manner that commends itself highly for its neatness; and, as far as your committee are able to judge, for its fidelity of delineation. They therefore recommend to the Senate, to accept the said map, and beg leave, in conclusion, to offer the following resolution:

Resolved, That the map presented to the Senate by Mr. Edward Hutawa, of St. Louis, be accepted, and that the thanks of the Senate be returned to him for his suitable present.

The report was read and agreed to.

On motion of Mr. Monroe,

Resolved, That the map presented to the Senate by Mr. Edward Hutawa, be suspended by the wall on the right of the President's chair.

Mr. Fort, on leave, introduced a bill entitled,

An act explanatory of an act entitled, "an act to provide for the call of a convention."

Which was read a first time and ordered to a second reading.

Mr. Boggs moved a call of the House, which was negatived.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

MR. PRESIDENT:

The House of Representatives has passed a bill entitled,
An act to repeal a portion of an act to amend an act to regulate fees, approved Feb. 11, 1841.

Which bill, on motion of Mr. Monroe,

Was taken up, on a suspension of the rules and read a first time, the rule suspended and read a second and third time, and passed.

Mr. Acock, from the committee on enrolled bills, reported as truly enrolled a bill entitled,

An act to authorise guardians of minors, idiots and lunatics to receive and remove from this State, any property to which such wards may be entitled.

The following bills from the House of Representatives were severally read a first time and ordered to a second reading.

An act for the relief of W. J. Tutt, collector of Morgan county.

An act to repeal an act concerning strays in Jefferson county.

An act to establish a state road from John Warrens in Jefferson county, to Jackson in Cape Girardeau county.

An act for the relief of Preston Mullineaux.

An act concerning notaries public.

An act concerning oaths and affirmations.

An act for the relief of Nathaniel Harmon.

An act concerning salt petre works.

An act for repairing the capitol.

An act authorizing Hoard Roberts to become guardian for his children.

An act for the benefit of the minor heirs of Thomas Wright, deceased, late of St. Louis county.

An act to establish a state road from Weston to St. Josephs.

The following were severally read a first time and laid on the table.

An act for the relief of the collector of Cape Girardeau county.

An act for the relief of G. W. Taylor, collector of Buchanan county.

The following House bills were severally read a first time, the rules suspended, and read a second and third times and passed:

An act for a change of a State road.

An act to repeal an act approved February 24th, 1843, entitled: an act amendatory of an act to regulate marks and brands, approved February 26th, 1835.

The following were severally read a first time, the rule suspended, and read a second time and referred to the committee of ways and means.

An act for the relief of Marvin Munger.

An act for the relief of John Hammond, collector of Jefferson county.

The following was read a first time, the rule suspended, read a second time, and ordered to a third-reading:

An act to authorise Edward Berry to builds a mill dam across South Grand river.

The following was read a first time, the rule suspended, and read a second time, and ordered to a third reading.

An act to regulate fees in certain cases

Mr. Mills moved to refer it to a select committee of three,

Which was rejected.

Mr. Boggs moved to postpone the further consideration of the bill until the 10th January next.

Which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Harper, Harris, Johnson, Mills, Netherton, and O'Bryan—11.

Nays.—Messrs. Fort, Hancock, Lucas, Miller, Monroe, Polk, Shelton, Snyder, Thompson, Welborn and Wolfskill—11.

The Senate being equally divided the President gave the casting vote in the affirmative.

Absent—Mr. Reese.

Absent on leave—Messrs. Campbell, Detchemendy, Gentry, Hudspeth, Lucas, Massey, Powers and Snell.

On committee—Messrs. Ellis and Rawlins.

Message from the House of Representatives by Mr. Stringfellow, a member:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the enrolled bill entitled,

An act to authorise guardians of minors, idiots and lunatics to receive and remove from this State any property to which such ward may be entitled,

Which is herewith presented to the President of the Senate for his signature.

Whereupon it was signed by the President.

The House bill entitled,

An act to repeal and provide for the sale of lands for the taxes approved Feb. 27th, 1843, with the amendments made thereto, was,

On motion of Mr. Thompson,

Laid on the table.

On motion the Senate adjourned until Monday morning at 10 o'clock, A. M.

MONDAY MORNING, *Dec. 23, 1844.*

The Senate met pursuant to adjournment.

Mr. Fort moved a call of the House,

Which was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe, Calhoun, Fort, Harper, Johnson, Miller, Netherton, Polk, Reese, Shelton, Snyder and Thompson—14,

Severally answered to their names.

Absent, Messrs. Mills and O'Bryan.

Absent with leave—Messrs. Boggs, Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Massey, Monroe, Powers, Snell, Welborn and Wolfskill.

Absent on examining committee—Messrs. Detchemendy, Ellis Jones and Rawlins.

There not being a quorum present,

On motion,

The Senate adjourned until to morrow morning at ten o'clock.

TUESDAY MORNING, *December 24, 1844.*

The Senate met pursuant to adjournment.

Mr. Reese moved a call of the House,

Which was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe Boggs, Calhoun, Harper, Miller, Netherton, Polk, Reese, Shelton, Snyder and Thompson--13.

Severally answered to their names.

Absent, Messrs. Fort, Mills, O'Bryan and Johnson.

Absent with leave, Messrs. Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Massey, Monroe, Powers, Snell, Welborn and Wolfskill.

Absent on committee, Messrs. Detchemendy, Ellis, Jones and Rawlins.

There not being a quorum present,

On motion,

The Senate adjourned till to-morrow morning at 9 o'clock, A. M.

WEDNESDAY MORNING, *December 25, 1844.*

The Senate met pursuant to adjournment.

Mr. Polk moved a call of the House,

Which was ordered.

The roll being called,

Messrs. Acock, Polk, Reese, Snyder and Thompson--5.

Severally answered to their names.

Absent, Messrs. Anderson, Blythe, Calhoun, Fort, Johnson, Miller, Mills, Netherton, O'Bryan and Shelton.

Absent with leave, Messrs. Boggs, Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Massey, Monroe, Powers, Snell, Welborn and Wolfskill.

Absent on committee, Messrs. Detchemendy, Ellis, Jones and Rawlins.

On motion, all further proceedings under the call

Were dispensed with.

There not being a quorum present.

On motion, the Senate adjourned, until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *December 26, 1844.*

The Senate met pursuant to adjournment.

Mr. Polk moved a call of the House.

Which was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe, Ellis, Polk, Snyder and Thompson--7.

Severally answered to their names.

Absent, Messrs. Calhoun, Fort, Harper, Miller, Mills, Netherton, O'Bryan, Reese and Shelton.

Absent with leave, Messrs. Boggs, Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Massey, Monroe, Powers, Snell, Welborn and Wolfskill.

Absent on committee, Messrs. Detchemendy, Jones and Rawlins.

On motion of Mr. Anderson,

All further proceedings under the call were dispensed with.

There not being a quorum present.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, *December 27, 1844.*

The Senate met pursuant to adjournment.

Mr. Anderson moved a call of the House.

Which was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe, Ellis, Miller, Netherton, Polk, Snyder and Thompson—8.

Severally answered to their names.

Absent, Messrs. Calhoun, Fort, Harper, Johnson, Mills, O'Bryan, Reese and Shelton.

Absent with leave, Messrs. Boggs, Campbell, Gentry, Hancock, Harris, Huds-
peth, Lucas, Massey, Monroe, Powers, Snell, Welborn and Wolfskill.

Absent on committee, Messrs. Detchemendy, Jones and Rawlins.

On motion all further proceedings under the call,

Were dispensed with

There not being a quorum present,

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SATURDAY MORNING, *December 28, 1844.*

The Senate met pursuant to adjournment.

Mr. Snyder moved a call of the House.

Which was ordered,

The roll being called

Messrs. Acock, Anderson, Blythe, Ellis, Miller, Netherton, Polk, Reese, Snyder and Thompson—10.

Severally answered to their names.

Absent—Messrs. Calhoun, Fort, Harper, Johnson, Mills, O'Bryan and Shelton.

Absent with leave—Messrs. Boggs, Campbell, Gentry, Hancock, Harris, Huds-
peth, Lucas, Massey, Monroe, Powers, Snell, Welborn and Wolfkill.

Absent on committees—Messrs. Detchemendy, Jones and Rawlins.

Mr. Polk offered the following:

Resolved, That the Sergeant at Arms, be sent for the members of the Senate who are absent without leave.

On motion of Mr. Reese,

Was laid on the table till Monday next.

There not being a quorum present,

On motion, the Senate adjourned until Monday morning at 10 o'clock.

MONDAY MORNING, *Dec. 30, 1844.*

The Senate met pursuant to adjournment.

Mr. Polk moved a call of the House,

Which was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe, Boggs, Ellis, Miller, Netherton, O'Bryan,
Polk, Rawlins Reese, Snyder and Thompson—14,

Severally answered to their names.

Absent—Messrs. Calhoun, Fort, Johnson, Mills and Shelton.

Absent with leave—Messrs. Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Massey, Monroe, Powers, Snell, Welborn and Wolfskill.

Absent on committees—Messrs. Detchemendy and Jones.

On motion, all further proceedings under the call

Were dispensed with.

There not being a quorum present.

On motion, the Senate adjourned till 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment,

Mr. Rawlins moved a call of the House.

Which was ordered.

The roll being called,

Messrs. Acock, Blythe, Boggs, Harper, Massey, Miller, Monroe, Nether-ton, O'Bryan, Polk, Rawlins, Reese, Snyder, Thompson, and Welborn—15.

Severally answered to their names.

Absent, Messrs. Anderson, Calhoun, Ellis, Fort, Johnson, Mills and Shelton.

Absent with leave, Messrs. Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Powers, Snell and Wolfskill.

Absent on the Tobacco Warehouse committee, Messrs. Detchemendy and Jones.

On motion of Mr. Monroe,

The Sergeant-at-Arms was despatched to request the attendance of the absent Senators.

Messrs. Anderson and Ellis appeared and took their seats.

And all further proceedings under the call

Were dispensed with.

The President pro tempore presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Dec. 23, 1844.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed the following bill:

An act to authorise the guardians of minors, idiots and lunatics to receive and remove from this State any property to which said ward may be entitled.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Message from the House of Representatives by Mr. Gilpin their clerk,

MR. PRESIDENT:

The following bills have been introduced into the House:

An act for the relief of Edwin Hunting.

An act for the relief of Isham Puckett and Rebecca his wife.

An act for the relief of I. B. Grant, clerk of the county court of Callaway.

An act to authorise the appointment of commissioners to take acknowledgments of deeds and other instruments of writing under seal.

An act to define the boundaries of Woodford county, and to organize the same.

The House of Representatives has concurred in the amendment of the Senate to the bill entitled,

An act respecting the northern boundary of the State.

The House of Representatives has passed the following bills:

An act to authorize George W. Hinkle and William C. Hinkle to erect a water mill on Big Blue river, in Jackson county.

An act to authorize Abraham Harris to erect a mill dam across the river One Hundred and Two.

An act to authorize the Auditor of Public Accounts to draw his warrant in favor of the clerk of Barry circuit court.

An act for the benefit of John C. Roberts and others.

An act for the relief of the heirs of Samuel Lackey, dec'd.

The President pro. tempore laid before the Senate the report of the commissioners of the Permanent seat of government.

The reading of which was dispensed with, and

On motion, it was referred to the committee on the permanent seat of government.

Mr. Polk gave notice that he would, on to-morrow, or some subsequent day, ask leave to introduce a bill to repeal the Charter of the Bank of the State of Missouri, by the consent of the private stock-holders of said bank.

Mr. Rawlins submitted the following:

Resolved, That the hours of meeting of the Senate, shall hereafter be at 9 o'clock A. M., and 2 o'clock P. M., unless otherwise ordered by the Senate.

Which, under the rules lies one day on the table.

The Senate bill entitled:

An act explanatory of an act entitled, an act to provide for the call of a convention.

Was read a second time, and

On motion of Mr. Monroe,

Passed over for the present.

On motion of Mr. Massey,

The House bill entitled:

An act to authorize the Auditor of Public Accounts to draw his warrant in favor of the clerk of the Barry circuit court,

Was taken up and read a first time.

The rule suspended, read a second time, and

Ordered to a third reading to-morrow.

On motion of Mr. Polk,

The resolution offered by him in relation to sending the Sergeant-at-Arms after the Senators who are absent without leave,

Was taken up, and without any action had thereon,

On motion, the same was passed over for the present.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled, Joint resolutions instructing our Senators in Congress in relation to the annexation of Texas.

The House bill entitled,

An act for the relief of John C. Roberts and others,

Was read a first time, the rule suspended, and

Read a second and third time and passed.

The following House bills were severally read a first time, and ordered to a second reading.

An act to authorise Abraham Harris to erect a mill dam across the river One Hundred and Two.

An act to authorise Geo. W. Hinkle and William C. Hinkle to erect a water mill on Big Blue river, in Jackson county.

An act for the relief of Samuel Lackey, deceased.

The following were severally read a second time, and ordered to a third reading:

An act to repeal an act concerning strays in Jefferson county.

An act for the relief of Nathaniel Harmon.

An act for the benefit of the minor heirs of Thomas Wright, deceased, late of St. Louis county.

An act concerning notaries public.

An act concerning oaths and affirmations, and

An act concerning salt petre works.

The following House bills were severally read a second time, and

On motion of Mr. Monroe,

Referred to the committee on ways and means.

An act for the relief of W. J. Tutt, collector of Morgan county.

An act for the relief of Preston Mullineaux.

The following were severally read a second time and disposed of as follows:

An act to establish a state road from John Warrens, in Jefferson county, to Jackson, in Cape Girardeau county.

Referred to a select committee composed of Messrs. Snyder, Polk and Hudspeth.

An act to establish a state road between Weston and St. Josephs.

Referred to a select committee composed of Messrs. Thompson, Blythe and Johnson.

An act for repairing the capitol,

Referred to the committee on the permanent seat of government.

The following was read a second time,

A bill authorising Hoard Roberts to become guardian for his children.

On motion of Mr. Reese,

The rule was suspended, and

The bill read a third time and passed.

The following was read a third time and passed,

An act authorising Edward Berry to build a mill dam on South Grand river.

The House bill entitled,

An act to repeal an act to provide for the sale of land for the taxes, approved February 27, 1843,

Which had been returned to the Senate with an amendment to the Senate's amendment,

Which was taken up, and

On motion of Mr. Thompson,

Laid on the table.

On motion of Mr. Boggs,

Resolved, That the House of Representatives be requested to furnish the Senate with the petition, remonstrance, and other papers in the possession of the House of Representatives, relating to the bill from the House authorizing G. W. Hinkle and William C. Hinkle to erect a mill dam across Big Blue river in Jackson county.

Mr. Reese moved to adjourn.

Which was negatived.

On motion of Mr. Ellis, the Senate bill entitled,

An act for the relief of W. W. Compton,

Was taken up and recommitted to the committee on claims.

Mr. Anderson moved to adjourn, which was negatived.

Mr. Anderson moved a call of the House, which was negatived.

On motion of Mr. Monroe, the Senate resolved itself into committee of the whole—Mr. Monroe in the chair,

And without transacting any business, the committee rose, and

On motion of Mr. Massey,

The Senate adjourned until to-morrow morning at 10 o'clock, A. M.

TUESDAY MORNING, Dec. 31, 1844.

The Senate met pursuant to adjournment.

On motion of Mr. Rawlins,

A call of the House was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe, Boggs, Ellis, Harper, Massey, Miller, Monroe, Netherton O'Bryan, Polk, Rawlins, Reese, Snyder, Thompson and Welborn—17,

Severally answered to their names.

Absent—Messrs. Calhoun, Fort, Johnson, Mills and Shelton.

Absent with leave—Messrs. Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Powers, Snell and Wolfskill.

Absent on the tobacco warehouse committee—Messrs. Detchemendy and Jones.

On motion all further proceedings under the call were dispensed with.

Mr. Harper, on leave of the Senate, introduced a bill entitled,

An act for the relief of William Sitton, late collector of Lincoln county.

Which was read a first time, the rule suspended,

Read a second time, and

Referred to the committee of ways and means.

Mr. Polk, on leave of the Senate, introduced a bill entitled,

An act to repeal an act respecting the 14th judicial circuit.

Which was read a first time, the rule suspended,

Read a second time, ordered to be engrossed, and

Ordered to a third reading.

Mr. Massey submitted the following resolution:

Resolved, That the committee on the judiciary be instructed to report to the Senate, translations in English, of all the terms now upon the statute book, expressed in foreign, dead, or barbarous dialects or languages,

Mr. Boggs moved to amend as follows:

Insert between the words "English" and "of" in the 3d line of the resolution, the words "German and French."

Which was rejected by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs—4.

Nays—Messrs. Ellis, Harper, Massey, Miller, Monroe, Netherton, O'Bryan, Polk, Rawlins, Reese, Snyder, Thompson and Welborn—13.

Absent, Messrs. Calhoun, Fort, Johnson, Mills, and Shelton.

Absent with leave, Messrs. Campbell, Gentry, Hancock, Harris, Hudspeth, Lucas, Powers, Snell and Wolfskill.

Absent on the Tobacco Warehouse committee, Messrs. Detchemendy, and Jones.

Mr. Anderson offered the following substitute:

Ordered, by the Senate, That the committee on revision be required to furnish a glossary of the Latin or law terms, used in the statutes of Missouri, defining in plain language, the meaning of such terms, and that the same be added to the revised code.

Which was, on leave of the Senate, withdrawn.

Mr. Monroe offered the following substitute:

Resolved, by the Senate, if concurred in by the House of Representatives

That the joint committee on revision be instructed to make out a glossary.

explanatory of the technical terms used in the revised laws of the present session, which shall be appended to and published with the revised code.

Which was read, and

The rule requiring concurrent resolutions to lie on the table one day, being suspended, the substitute was adopted.

The question then recurred on the adoption of the resolution as amended, and was determined in the affirmative by the following vote.

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Harper, Miller, Monroe, O'Bryan, Reese, Snyder, Thompson and Welborn—12.

Nays—Messrs. Ellis, Massey, Polk and Rawlins—5.

Absent and sick, same as above.

Mr. Monroe, on leave of the Senate, introduced a bill entitled:

An act to authorize the sale of the real estate belonging to the minor heirs of Sarah M. Brooks.

Which was read a first time, the rule suspended,

Read a second time, ordered to be engrossed, and

Ordered to be read a third time.

On motion the Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY MORNING, *January 1, 1845.*

The Senate met pursuant to adjournment.

Mr. Blythe presented the petition of Michael Farmin, praying for permission to peddle without license.

The reading was dispensed with and the petition was referred to the committee of ways and means.

Mr. Monroe, from the committee of ways and means, to whom was referred a bill entitled:

An act for the relief of William Sitton, late collector of Lincoln county,

Reported it back with an amendment.

The report and amendment were read and agreed to,

The accompanying bill was read a third time and passed as amended.

Mr. Snyder, on leave of the Senate, introduced a bill entitled,

An act to provide for opening a state road,

Which was read a first time and ordered to a second reading.

On motion of Mr. Snyder.

Resolved, by the Senate, That one thousand copies of the abstract of the census be ordered to be printed for the use of the Senate.

Mr. Ellis, from the committee on engrossed bills, reported as truly engrossed, bills of the following titles.

An act to repeal an act respecting the 14th judicial circuit.

An act to provide for erecting county buildings.

An act to authorise the sale of the real estate belonging to the minor heirs of Sarah M. Brooks.

The following House bills were severally read a second time, and disposed of as follows:

An act for the relief of the heirs of Samuel Lackey, deceased,

Ordered to a third reading.

An act to authorise George W. Hinkle and William C. Hinkle, to erect a wa-

ter mill on Big Blue river, in Jackson county.

Referred to a select committee, composed of Messrs. Boggs, Johnson and Calhoun.

The House bill entitled,

An act to authorize Abraham Harris to erect a mill dam across the river One Hundred and Two,

Was read a second time, the rule suspended and

Read a third time and passed.

The following Senate bills were read a third time and passed:

An act to provide for erecting county buildings.

An act to repeal an act respecting the 14th judicial circuit.

The following House bills were read a third time and passed:

An act for the benefit of the minor heirs of Thomas Wright, deceased, late of St. Louis county.

An act to authorise the Auditor of Public Accounts to draw his warrant in favor of the clerk of the Barry circuit court.

An act concerning notaries public.

An act concerning salt petre works,

An act concerning oaths and affirmations.

The following House bills were severally taken up, and laid on the table until the 4th of July next:

An act for the relief of G. W. Taylor, collector of Buchanan county.

An act for the relief of the collector of Cape Girardeau county.

The following were severally read a third time and disposed of as follows:

An act for the relief of Nathaniel Harmon—passed over.

An act to repeal an act concerning strays in Jefferson county, approved February 25, 1843—passed over till Monday next.

Mr. Massey moved that the Senate resolve itself into a committee of the whole,

Which was negatived, and

On motion of Mr. Monroe,

The Senate took a recess till 12 o'clock.

At 12 o'clock the Senate re-assembled.

The Senate bill entitled,

An act to authorize the sale of real estate, belonging to the minor heirs of Sarah M. Brooks.

Was read a third time and passed.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, *January 2, 1845.*

The Senate met pursuant to adjournment.

Mr. Thompson presented the petition of sundry citizens of Buchanan county, praying that the county road leading from Weston to St. Josephs by way of Linville, may be made a state road.

Which was referred to a select committee, consisting of Messrs. Thompson, Blythe and Johnson.

Mr. Massey, from the committee on the militia, to whom was referred a resolution of the Senate, instructing them to enquire into the expediency of erecting a suitable building for the safe keeping and preservation of the state arms,

Reported, That they had had the same under consideration, had examined the

situation and place of keeping at present used, and had come to the conclusion that the safe keeping and preservation of the arms can be well accomplished in their present location, by providing a small appropriation, which would answer the double purpose of securing the arms, and also add to the security of the capitol—the arms being now in unoccupied portions of this building. The committee had not thought proper to report a bill to accomplish the proposed object, for the reason, that in their belief such a bill would more appropriately come from the committee on the permanent seat of government.

The report was read and agreed to.

The Senate bill entitled,

An act to provide for opening a state road,

Was read a second time and referred to the committee on internal improvements.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act to amend an act concerning justices courts.

An act for the relief of Archibald Woods.

An act to incorporate the Savannah lyceum.

An act to incorporate the Missouri Institue of Sciences.

An act to establish the boundary line between Franklin and Jefferson counties.

An act to incorporate the Weston light lodge No. 6, of the independent order of odd fellows of Weston, Platte connty, Missouri.

Joint resolutions for the celebration of the anniversary of the victory at New Orleans, on the 8th of January, 1815.

The following bills have passed the House of Representatives:

An act to declare a certain county road a state road.

An act supplementary to an act to incorporate the town of Weston, in the county of Platte, approved Feb. 23, 1843.

An act to authorize Thomas J. Lockridge to sell real estate upon certain conditions.

An act declaring Platte river a public highway.

An act to legalize the acts of the commissioners locating the seat of justice of Scotland county.

An act concerning the sheriff of Cole county.

An act to authorise the county court of Wayne county to borrow money.

An act to view and mark out a state road from Weston, in Platte county, to St. Josephs, in Buchanan county.

An act for the relief of Jefferson county.

Joint resolutions in favor of Samuel W. Fairley, collector of Pike county.

The House has passed the Senate bill entitled,

An act for the relief of William Sitton, late collector of Lincoln county.

The House has adopted the following resolutions:

Resolved, by the House of Representatives the Senate, concurring therein, as follows:

1st. That a proper regard for our country, and the achievements of her chivalrous sons, requires the commemoration of those events which have contributed to the independence, the honor and the glory of our common country.

2d. That the victory of New Orleans, on the 8th of January, A. D. 1815, achieved by General Andrew Jackson, and the gallant forces under his command, by which the valor of our arms was made known to the nations of the world, our independence perfected, and our liberties more firmly established,

calls for the perpetual gratitude of the whole nation, which as a nation participated in its benefits.

3d. That we regard the brilliant victory won on the plains of Chalnette, not alone as a great military achievement, shedding lustre upon our national arms, and contributing to our national glory, but as a salutary check to the grasping ambition of Great Britain, whose secret design was the conquest of Louisiana, and if she had succeeded, a consequent rejection of the treaty of Ghent.

4th. That a committee of five on the part of the House of Representatives, to join such committee as may be appointed by the Senate, be appointed, whose duty it shall be to make suitable arrangements for the celebration of the 8th inst., in a manner appropriate to the occasion, and report to the two Houses the result of their deliberations.

5th. That the Governor be requested to furnish two pieces of artillery to be used on that day; and that he, the other officers of State, the members of both Houses of the General Assembly, and the citizens generally, be requested to join in said celebration.

6th. That the Secretary of State send to General Andrew Jackson, a copy of these resolutions.

The House of Representatives has agreed to the amendments of the Senate to the revised House bills entitled,

An act concerning escheats.

An act respecting lost money and goods.

An act directing the fencing and enclosing of furnaces for the smelting of lead.

The House of Representatives has amended the 1st amendment of the Senate to the revised House bill entitled,

An act respecting the Attorney General, circuit and county attornies,

And rejected the 2d amendment to the same.

The Speaker has signed the following enrolled bills,

An act to legalize the proceedings of the Trustees of Weston, in Platte county, and for other purposes.

An act for the relief of William Thraikill.

An act amendatory and explanatory of an act to fix the time of holding circuit courts, approved Feb. 24, 1843.

An act respecting the northern boundary of the State.

An act concerning landlords and tenants.

An act for the relief of William Sitton, collector of Lincoln county.

The following House bill was read a third time and passed:

An act for the relief of the heirs of Samuel Lackey, deceased.

On motion of Mr. Welborn,

The resolution from the House entitled,

Joint resolutions in favor of Samuel W. Finley, collector of Pike county.

Were taken up,

Read a first time, the rules suspended, and

The resolutions read a second and third times and passed.

On motion of Mr. Monroe,

The resolutions from the House of Representatives in relation to celebrating the 8th of January.

Were taken up and adopted.

And on motion,

A committee of three, consisting of Messrs. Monroe, Welborn and Campbell, was appointed by the President pro. tempore, on the part of the Senate, under said resolutions.

On motion of Mr. Polk,

The House bill entitled,

An act to authorize the county court of Wayne county to borrow money,

Was taken up, read a first time, the rule suspended,

And read a second and third time, and passed.

The following bills from the House of Representatives were severally read a first time, and

On motion of Mr. Johnson,

The rules were suspended, and the bills severally read a second and third time and passed.

An act supplementary to an act to incorporate the town of Weston, in the county of Platte, approved February 23, 1843, and

An act to declare a certain county road a state road.

The following bills from the House of Representatives were severally read a first time and ordered to a second reading:

An act to view and mark out a state road from Weston, in Platte county, to St. Josephs, in Buchanan county.

An act legalizing the acts of the commissioners locating the seat of justice in Scotland county.

An act concerning the sheriff of Cole county.

An act declaring Platte river a public highway, and

An act to authorize Thomas J. Lockridge to sell real estate upon certain conditions.

Mr. Monroe gave notice that he would on to-morrow, or some subsequent day, ask leave to introduce a bill for the election of a public printer.

On motion of Mr. Reese,

Resolved, That the Senate adjourn over at noon, from day to day, for the purpose of affording the joint committee on revision an opportunity to transact business, until otherwise ordered.

Mr. Anderson, on leave, introduced a bill entitled:

An act to amend an act entitled an act to reduce the law incorporating the city of St. Louis, and the several acts amendatory thereof into one act, approved the 8th February, 1843.

Which was read a first time, and ordered to a second.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, a bill entitled:

An act for the relief of William Sitton, late collector of Lincoln county.

On motion of Mr. Massey, the Senate bill entitled,

An act in relation to locating State roads,

Was taken up and read a third time.

Mr. Massey moved to amend by way of ryder as follows:

Strike out the 2d section of the bill, and insert in lieu thereof the following:

"Sec. 2. At least one petitioner in each county through which the proposed road may run, shall make an affidavit before a justice, stating that the provisions of the preceding section have been complied with in the county in which such affiant may reside, which affidavit together with the certificate of the clerk of the county court, certifying that the person before whom said affidavit was signed was an acting justice of the peace at the time of signing the same, shall accompany the petition.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and

Read a third time, when

On motion of Mr. Massey,

The bill and ryder were ordered to be re-engrossed and set for the 10th of January next.

Mr. Acock, on leave, introduced a bill entitled,

An act to lay off the State into congressional districts.

Which was read a first time, the rule suspended, read a second time, and referred to the committee on so much of the Governor's message as relates to

laying off the State into congressional districts, and one hundred and fifty copies ordered to be printed.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, *January 3, 1845.*

The Senate met pursuant to adjournment.

Mr. Reese, from the joint committee on revision, reported the following bills—
—with amendments.

An act to recover public records, and

An act allowing suits against officers for services rendered under illegal orders.

Also, the following without amendment.

An act regulating writs and process.

An act regulating the action of replevin.

An act to restrain gaming.

An act concerning the action of detinue, and

An act to provide for the election of justices of the peace, and to prescribe their powers and duties.

The report was read and agreed to, and the accompanying bills were read a first time, the rule suspended, read a second time, committed to a committee of the whole, and ordered to be printed.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act to repeal the bank charter.

An act to extend the jurisdiction of constables.

An act amendatory to an act to authorise the county court of Buchanan county to pay certain money, approved Jan. 26, 1843.

The following bills have passed the House of Representatives.

An act for the relief of Francis Parker, clerk of Lincoln circuit court.

An act respecting the road and canal fund belonging to Pulaski county.

An act supplementary to an act to define the boundaries of Scotland county, and for other purposes, approved Jan. 6th, 1843.

An act for the relief of William Thrailkill, collector of Grundy county.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed a bill entitled:

An act in relation to locating State roads.

Mr. Monroe, on leave, introduced a bill entitled:

An act to provide for electing a public printer.

Which was read a first time, the rule suspended,

Read a second time, and,

Referred to a select committee consisting of Messrs. Monroe, Snyder, Snell, Acock and Campbell.

On motion of Mr. Acock,

1. *Resolved, by the Senate and House of Representatives*

That the joint committee on revision, be required to report without amendment, or further action thereon, all bills which have been reported by the commissioners on revision.

2. That an equal number of such bills, as near as may be, shall be reported to each House, and all bills so reported, shall be considered as having originated in the House to which the same shall be reported.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had presented to the Governor for his approval and signature, an enrolled bill entitled.

An act for the relief of William Sitton, late collector of Lincoln county. Also, Joint resolutions instructing our Senators in Congress in relation to the annexation of Texas,

The President laid before the Senate, the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, January 3, 1845. }

To the Hon. the Senate:

Gentlemen—I have this day approved and signed a bill entitled:

An act for the relief of William Sitton, late collector of Lincoln county, and a Resolution instructing our Senators and Representatives in Congress, in reference to the annexation of Texas to the United States.

Very respectfully,

Your ob't serv't,

JOHN C. EDWARDS.

Mr. Reese offered the following resolution, which was adopted:

Resolved, by the Senate, That the census of the State of Missouri for the year 1844, be appended to and published with the journals of the Senate of the present session.

Mr. Snyder gave notice that he would, on to-morrow, or some subsequent day, ask leave to introduce a bill for the relief of Y. Ewing.

On motion of Mr. Anderson,

The committee of the whole was discharged from the further consideration of a bill entitled:

An act to regulate the fees of certain officers, and

On his further motion, it was referred to a select committee consisting of Messrs. Anderson, Polk and Boggs.

On motion of Mr. Wolfskill, a bill from the House of Representatives entitled:

A bill for the relief of William Thrailkill, collector of Grundy county,

Was taken up and read a first time, the rule suspended,

And read a second and third time.

Mr. Monroe moved to amend by way of rider, as follows:

Strike out all after the word "the" in the 14th line of the first section, to the word February in the fifteenth line inclusive, and in lieu thereof insert the following:

"The 8th day of January, 1845."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, read a third time, when, the bill as amended passed.

The resolution submitted by Mr. Rawlins, requiring the Senate to meet hereafter at 9 o'clock, A. M., and 2 o'clock, P. M., unless otherwise ordered,

Was taken up and adopted.

Mr. Miller, on leave, introduced,

Joint resolutions, proposing amendments to the constitution of the State of Missouri, in relation to judicial tenures.

Which were read a first time and ordered to a second reading.

The Senate bill entitled,

An act to amend an act to reduce the law incorporating the city of St. Louis and the several acts amendatory thereof, into one act, approved 8th Feb. 1843,

Was read a second time and

Ordered to be engrossed and read a third time.

The following House bills were severally read a second time; the rules suspended, and read a third time and passed.

An act to view and mark out a State road from Weston, in Platte county, to St. Josephs, in Buchanan county.

An act to authorise Thomas J. Lockridge to sell real estate, upon certain conditions.

The following House bills were severally read a second time, and ordered to a third reading:

An act legalizing the acts of the commissioners locating the seat of justice for Scotland county.

An act declaring Platte river a public highway.

The following House bills were read a second time and referred to the committee on the judiciary.

An act concerning the sheriff of Cole county.

Mr. O'Bryan moved to take up the House bill entitled,

An act to repeal an act to provide for the sale of land for the taxes approved Feb. 27th, 1843,

Which had been sent to the Senate with an amendment to the Senate's amendment.

Which motion was determined in the negative.

The following House bills were severally read a first time, and ordered to a second reading:

An act supplementary to an act to define the bounds of Scotland county, and for other purposes, approved January 6, 1843.

An act respecting the road and canal fund belonging to Pulaski county.

The following was read a first time, the rules suspended, read a second time and referred to the committee on claims.

An act for the relief of Francis Parker, clerk of the Lincoln circuit court.

Message from the House of Representatives by Mr. Huston, assisstant clerk:

Mr. PRESIDENT:—

I am instructed to inform the Senate that the House of Representatives has disagreed to the resolutions adopted by the Senate concerning the committee on revision.

The House has concurred in the Senate's amendment to a bill entitled:

An act for the relief of William Thrailkill, late collector of Grundy county.

On motion of Mr. Monroe,

The Senate resolved itself into committe of the whole, Mr. Monroe in the chair.

And after some time spent therein, the commiitee rose and reported through their chairman,

That they had had under consideration a bill entitled,

An act respecting constables;

Had amended the same, and had instructed him to report the same to the Senate and recommend its passage as amended.

The report was read and agreed to, and the bill ordered to be engrossed.

On motion the Senate adjourned until to-morrow morning, at 10 o'clock.

SATURDAY MORNING, *January 4, 1845.*

The Senate met pursuant to adjournment.

Mr. Hudspeth presented the petition of the county court of Washington county praying the refunding of certain money, which, on his motion was Referred to the committee of Ways and Means.

Mr. Reese, from the committee on the revision of the laws, reported the following bills—without amendment.

An act to provide for the removal of seats of justice.

An act regulating injunctions, also,

The following—with amendments;

An act prescribing the times and place of holding the supreme court, and for other purposes..

An act to provide for reporting the decisions of the supreme court.

The report was read and agreed to, and the accompanying bills were severally read a first time, the rules suspended, and read a second time,

Referred to a committee of the whole and ordered to be printed.

Mr. Thompson, on leave, introduced a bill entitled,

An act amendatory to an act entitled "an act to provide for the selection and sale of the land granted to this State by act of Congress, approved Sept. 11th, 1841," approved Feb. 27th, 1843.

Which was read a first time, the rule suspended,

And read a second time.

Mr. Acock moved to refer the bill to the committee on internal improvements.

Which was negatived, and,

On motion of Mr. Thompson,

Was referred to a select committee, consisting of Messrs. Thompson, Rawlins, Reese, Calhoun, Anderson, Hudspeth, Massey, Polk and Welborn.

Mr. Netherton, on leave, introduced a bill entitled:

An act for the relief of A. A. Laforge.

Which was read a first time, the rule suspended, and

Referred to the committee of ways and means.

Mr. Anderson, on leave introduced a bill entitled:

An act to appoint a law commissioner of St. Louis county.

Which was read a first time, and

Ordered to a second reading.

Mr. Monroe, from the joint committee appointed by the two Houses to make arrangements for celebrating the anniversary of the victory of New Orleans, achieved by General Andrew Jackson, and the forces under his command on the 8th of January, 1815, on leave of the Senate.

Reported, That they had agreed to the following arrangements to which they respectfully asked the concurrence of the two Houses.

First, There shall be fired on the 8th of January, 1845, a National Salute of twenty-six rounds, commencing at the break of day; the rounds to succeed each other as soon as may be.

Second. At ten o'clock, A. M., the Governor and heads of Department, the members of the General Assembly, and the citizens generally, be requested to meet in the hall of the House of Representatives to attend divine service; at the close of which a procession shall be formed by the marshal of the day, in the following order:

1st. Musicians.

2nd. Governor and heads of Department.

3rd. Lieutenant Governor and officers of the Senate.

4th. Senators in column of files of four.

5th. Speaker and officers of the House of Representatives.

6th. Members of the House of Representatives in columns of files of four.

7th. Citizens in columns of files of four.

Third, The procession shall move from the capitol up Washington street to High street, thence along High street to Jackson street, thence along Jackson street to Main street, where the order of procession shall be inverted, by order of the Marshal, thence along Main street to Madison street, thence along Madison street northwardly until the head of the procession shall have fully passed the Governor's residence, then the procession shall countermarch by the left to Main street, thence westwardly along Main street to Washington street, thence to the capitol. At the foot of the steps of the portico, the procession shall halt, the column shall be opened by two side steps to the right and left, and the order of procession be again inverted, thus inverted shall repair to the hall of the House of Representatives for the purpose of hearing an address to be delivered by the Hon. John I. Campbell, of the Senate, at the close of which will be sung by a choir selected for that purpose,

"The star spangled banner,"

At the close of which the procession will be dissolved.

The committee recommend that at early candle lighting on the 8th instant, the door keepers of the two Houses shall cause their respective Houses to be illuminated, that the same be observed with the offices of Secretary of State, Auditor of Public Accounts and State Treasurer, and that the citizens of the city generally be respectfully requested to illuminate their dwellings.

The committee have appointed Col. Thomas L. Price, Marshal of the day, to be aided by such assistants as he shall designate.

To carry the foregoing arrangements into effect, the committee recommend the adoption of the following resolutions. to wit:

Resolved 1st. That the joint committee appointed to make arrangements for celebrating the 8th day of January, 1845, be and they are hereby authorised to employ a suitable band of music for the occasion, if to be conveniently obtained. They are also authorised to contract for the requisite number of car-touches, and to employ suitable persons to manage the artillery on that day, and they recommend that the Adjutant General be requested to superintend the firing of the cannon.

2nd. That said committee shall audit and adjust the accounts for ammunition, music, and management of the cannon, and upon such account so audited and allowed by said committee, the Auditor of Public Accounts shall draw his warrant on the Treasurer, to be paid out of the contingent fund of the General Assembly.

3d. In order that all may be apprised of the nature of the above arrangements, your committee would recommend that two hundred copies thereof be printed for the use of the members of the General Assembly and the citizens.

The report was read and agreed to *mem. con.*

The joint resolutions proposing amendments to the constitution of the State of Missouri, in relation to judicial tenures,

Were read a second time,

Referred to a committee of the whole, and ordered to be printed.

Message from the House of Representatives by Mr. Gilpin their clerk.

Mr. President:—The following bills have been introduced into the House of Representatives:

An act for the benefit of William Kerr.

An act for the relief of Jones H. Owen, collector of Platte county.

An act to authorize the Secretary of State to purchase certain maps for the use of the officers of state.

An act to appropriate a part of the proceeds of the 500,000 acres of land to building bridges in Van Buren county.

An act to appoint a geologist.

An act to authorize Edmond Rutter to retail drugs, medicines and groceries without license.

Also, the following statutes:

An act respecting seminary lands.

An act to regulate actions on penal bonds.

An act to authorize officers to call to their assistance the power of the county.

Joint resolutions in relation to revised statutes.

Also, the following bills:

An act to appropriate money for the improvement of certain roads in Pike county.

An act for the relief of W. L. Gordon and Edmond Wood, of St. Clair county.

The following bills have passed the House of Representatives:

An act to change the name of Matilda T. C. Woolfolk.

An act to change a portion of a state road.

Joint resolutions in relation to printing reports and communications.

Resolutions instructing the door keeper to furnish a copy of each document printed, to the Governor and Secretary of State.

Resolutions instructing the standing committees of the two Houses on the militia, to act jointly.

Resolutions adopting joint rules for the Houses, and appointing a committee to revise and report upon the same.

Messrs. Carson, Jasper, Davis, Hough and Hyatt, have been appointed on said committee on the part of the House of Representatives.

Resolutions in relation to improvements in and about the Capitol, conducive to the health and comfort of the members.

Messrs. Warren, Bassett and Watson have been appointed a joint committee on the part of the House.

The House of Representatives bill entitled,

An act respecting the road and canal fund belonging to Pulaski county,

Was read a second time and laid on the table.

The House bill entitled,

An act supplementary to an act to define the bounds of Scotland county and for other purposes, approved January 6th, 1843,

Was read a second time, the rule suspended, and

Read a third time and passed.

The following House bills

Were severally read a third time and passed.

An act legalizing the acts of the commissioners locating the seat of justice for Scotland county, and

An act declaring Platte river a public highway.

On motion of Mr. Monroe,

Resolved, by the Senate, That the House of Representatives be informed that the Senate has agreed to the report and recommendations this day made by the joint committee appointed to make arrangements for celebrating the 8th inst.

Mr. Campbell, on leave, introduced a bill entitled,

An act for the benefit of the Missouri Historical and Philosophical Society.

Which was read a first time, the rule suspended,

Read a second time,

Considered as engrossed, and

Ordered to a third reading on Thursday next.

On motion of Mr. Welborn,

The Senate resolved itself into committee of the whole,

Mr. Welborn in the chair.

And after some time spent therein, the committee rose and reported through the chair,

That they had had under consideration a bill entitled,
An act concerning coroners,
And instructed him to report the same to the Senate without amendment, and recommend its passage.

Also, a bill entitled,
An act concerning divorce and alimony.
Had amended the same, and instructed him to report the same to the Senate, and recommend its passage as amended.

The report was read and agreed to, and

On motion of Mr. Monroe,

The bills were ordered to be engrossed.

The President laid before the Senate the report of the superintendent of common schools, which,

On motion of Mr. Monroe,

Was referred to the committee on education, and one thousand copies ordered to be printed.

Mr. Monroe moved to adjourn until Monday morning at 9 o'clock, which was decided in the affirmative by the following vote:

Yeas.—Messrs Anderson, Blythe, Boggs, Campbell, Calhoun, Ellis, Harper, Harris, Hudspeth, Johnson, Miller, Monroe, O'Bryan, Powers, Reese and Thompson—16.

Nays.—Messrs. Acock, Hancock, Netherton, Polk, Rawlins, Snell, Snyder, Welborn and Wolfskill—10.

Absent—Messrs. Fort, Mills and Shelton.

Absent with leave—Messrs. Gentry and Lucas.

Absent on the tobacco warehouse committee—Messrs. Detchemendy and Jones.

So the Senate adjourned.

MONDAY MORNING, *Jan. 6, 1845.*

The Senate met pursuant to adjournment.

On motion of Mr. Polk,

A call of the House was ordered.

The roll being called,

Messrs. Acock, Anderson, Boggs, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Massey, Netherton, Polk, Powers, Rawlins, Snell, Snyder, Thompson and Wolfskill—18,

Severally answered to their names.

Absent—Messrs. Blythe, Campbell, Calhoun, Fort, Johnson, Miller, Mills, Monroe, O'Bryan, Reese, Shelton and Welborn.

Absent with leave—Mr. Lucas.

Absent on the Tobacco Warehouse committee, Messrs. Detchemendy and Jones.

On motion all further proceedings under the call were dispensed with.

Mr. Polk presented the petition of sundry citizens of Ripley and Wayne counties, praying the organization of a new county.

Which, on motion, was referred to a select committee consisting of Messrs. Polk, Snyder and Netherton.

Mr. Hudspeth, from the select committee, to whom was referred the petition of the citizens of Hermann, in Gasconade county,

Reported a bill entitled,

An act to incorporate the town of Hermann.

Which was read a first time and ordered to a second reading.

Mr. Welborn, from the joint committee on revision, reported without amendment bills of the following titles:

An act respecting wills, and

An act to regulate elections.

The report was agreed to,

And the accompanying bills were severally read a first time,

The rules suspended, read a second time,

And committed to a committee of the whole and ordered to be printed.

Mr. Snyder, agreeably to previous notice, introduced a bill entitled,

An act for the relief of Y. Ewing,

Which was read a first time,

And ordered to a second reading.

The following Senate bills were severally read a second time and disposed of as follows:

An act to appoint a law commissioner for St. Louis county,

Ordered to be engrossed.

An act explanatory of an act to provide for the call of a convention,

On motion of Mr. Gentry,

Committed to a committee of the whole.

The House bill entitled,

An act for the relief of Jefferson county,

Was read a first time, and ordered to a second reading.

The House bill entitled,

An act respecting the Attorney General, circuit and county attorneys,

Which had been sent to the Senate with amendments, by the House of Representatives, to the Senate's amendment,

Was taken up.

Mr. Anderson moved to amend the 1st amendment of the House to the Senate's amendment, by way of rider as follows: "except in the county of St. Louis."

Which was read a first and second time.

Mr. Gentry moved to amend Mr. Anderson's amendment, as follows: "also, except the county of Monroe,

Which was accepted by Mr. Anderson.

Mr. Boggs moved the indefinite postponement of the amendments of the House, and the amendments proposed thereto by Mr. Anderson.

Which was negatived.

The question then recurred on the adoption of Mr. Anderson's amendment to the House amendment,

Which was determined in the affirmative.

The question was then taken on agreeing to the 1st, amendment of the House of Representatives to the Senate's amendment, and

Was decided in the negative.

Mr. Fort moved to disagree to the second amendment of the House to the amendment of the Senate.

Which was decided in the affirmative.

Mr. Ellis, from the committee on engrossed bills, reported as truly engrossed, the following bill:

An act to amend an act entitled an act to reduce the law incorporating the city of St. Louis, and the several acts amendatory thereof into one act, approved the 8th February, 1843.

On motion of Mr. Welborn,

Leave of absence was obtained for Mr. Monroe, for a few days.

Message from the House of Representatives:

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act to establish ferries across Salt river.

An act to enable persons to secure the right of way in certain cases.

The following bills have been reported to the House from the revising committee:

An act for the speedy recovery of debts due on bonds and notes.

An act to establish the office of Register of lands.

An act respecting the road and canal fund.

An act respecting public administrators.

An act concerning securities.

The House has passed the following bills:

An act declaring a certain county road in Lewis county a State road.

An act to render the election of clerks of certain courts uniform.

An act for the relief of Jones H. Owen, collector of Platte county.

An act to allow the county court of Henry county to borrow certain money from the road and canal fund of said county.

The House has passed the following Senate bills:

An act to authorise the county court of Madison county to use certain paper.

An act to authorise the sale of the real estate belonging to the minor heirs of Ira M. Brooks.

An act for the relief of B. J. Brown.

Memorial to Congress praying the donation of certain inundated lands to the counties in which they are situated.

The House has agreed to the report of the joint committee appointed to make arrangements for the celebration of the anniversary of the victory at New Orleans, on the 8th January, 1815.

The House of Representatives has adopted the following resolution:

Resolved, That the Senate be respectfully requested to return to this House the bill entitled,

An act to repeal and provide for the sale of lands for the taxes approved Feb. 27th, 1843.

Jan 6th, 1845.

W. GILPIN, Chief Clerk, H. R.

On motion of Mr. Rawlins,

The Senate resolved itself into a committee of the whole,

Mr. Ellis in the Chair,

And after some time spent therein, the committee rose and

Reported through their chairman that the committee had had under consideration bills of the following titles:

An act regulating ferries.

An act to enable persons held in slavery to sue for their freedom.

An act to restrain intercourse with Indians.

An act concerning perpetuating testimony, and

An act concerning salvage,

And had instructed him to report the same to the Senate without amendment, for its further action thereon—also

An act relative to fugitives from justice.

An act regulating inclosures, and

An act concerning inquests.

Had amended the same and instructed him to report the same to the Senate as amended, for its further action thereon.

The committee had also passed over the following bills without any definite action thereon:

An act concerning strays, and

An act regulating the office of sheriff and marshal.

The report was read and agreed to.

Message from the House of Representatives by Mr. Huston, assistant clerk:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed bills of the following titles,

An act directing the fencing and enclosing of furnaces for the smelting of lead,

An act for the abolition of lotteries.

An act declaring certain words actionable.

An act regulating the removal of officers by address.

An act to regulate the mode of taking the census.

An act for the benefit of the minor heirs of Thomas Wright, deceased, late of St. Louis county.

An act to authorise Abraham Harris to erect a mill dam across the river One Hundred and Two.

An act concerning salt petre works.

An act respecting lost money and goods.

An act for a change of a State road.

An act respecting claims,

An act to repeal an act approved February 24th, 1843, entitled: an act amendatory of an act to regulate marks and brands, approved February 26th, 1835.

An act to authorize the Auditor of Public Accounts to draw his warrant in favor of the clerk of the Barry circuit court,

An act to repeal a portion of an act to amend an act to regulate Ferries, approved February 11th, 1841.

An act for the relief of John C. Roberts and others,

An act to authorise Edward Berry, of Henry county, to build a mill dam across South Grand river.

An act authorizing Hoard Roberts to become guardian for his children.

An act relative to the ferry at the city of Jefferson.

An act concerning escheats.

An act concerning oaths and affirmations,

Whereupon the aforesaid bills were signed by the President of the Senate.

On motion of Mr. Acock, the following bills were ordered to be engrossed:

An act relative to fugitives from justice.

An act regulating inclosures.

An act concerning inquests.

An act concerning perpetuating testimony, and

An act respecting salvage.

On motion of Mr. Fort,

Resolved, by the Senate, That the Secretary of State be requested to report to the Senate, as early as possible, the date of the delivery of the laws and journals of the session of 1842—'3, in the office of Secretary of State, by persons who contracted for the printing and delivering the same, how long they remained in the said office before they were sent out for distribution. Also, the cause, or causes generally, that operated to delay the distribution of the laws and journals in compliance to law and contract.

On motion of Mr. Anderson,

The bill entitled,

An act to amend an act to reduce the law incorporating the city of St. Louis,

and the several acts amendatory thereof, into one act, approved February 8th, 1843.

Was read a third time.

And passed over until Tuesday next.

The following Senate bills were severally read a third time and passed.

An act regulating ferries.

An act to restrain intercourse with Indians, and

An act to enable persons held in slavery to sue for their freedom.

Mr. Anderson, from the select committee to whom was referred, a bill entitled,

An act to regulate fees of certain officers,

On leave of the Senate, reported a substitute entitled:

An act to authorize fees to the circuit judges in St. Louis county in vacation.

With a recommendation that it be read a first and second time and ordered to be engrossed.

The question was pending on agreeing to the report, when

On motion, the Senate adjourned till 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

The report of Mr. Anderson was agreed to,

And the substitute read a first and second time,

And ordered to be engrossed.

On motion of Mr. Reese,

Mr. Welborn was added to the committee on so much of the Governor's message as relates to laying off the State into Congressional Districts.

Mr. Netherton, on leave, introduced a bill entitled:

An act for the benefit of John Horbesin.

Which was read a first time,

And ordered to a second reading.

On motion,

The Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, *January 7, 1845.*

The Senate met pursuant to adjournment.

On motion of Mr. Rawlins,

A call of the House was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe, Ellis, Fort, Gentry, Hancock, Hudspeth, Netherton, O'Bryan, Polk, Powers, Rawlins, Snell Snyder and Wolfskill—16,

Severally answered to their names.

Absent, Messrs. Boggs, Campbell, Calhoun, Harper, Harris, Johnson, Massey, Miller, Mills, Reese, Shelton, Thompson and Welborn.

Absent with leave, Messrs. Lucas and Monroe.

Absent on the Tobacco Warehouse committee—Messrs. Detchemendy and ones.

On motion of Mr. Netherton, all further proceedings under the call were dispensed with.

Mr. Fort, from the joint committee of revision,

Reported without amendment, bills of the following titles:

An act concerning descents and distributions.

An act to establish and regulate the treasury department, and

An act relative to insane persons.

The report was agreed to, and

The accompanying bills were severally read a first time, and

Ordered to a third reading.

On motion, the rule was suspended, the following bills were severally read a second time, committed to a committee of the whole, and

On motion of Mr. Ellis,

The printing of the same was dispensed with.

An act concerning descents and distributions, and

An act to establish and regulate the treasury department.

On motion, the rule was suspended, and the following was read a second time:

An act relative to insane persons, and

On motion, committed to a committee of the whole.

Mr. Rawlins moved to dispense with the printing of the bill,

Which was decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Ellis, Fort, Gentry, Harper, Harris, Johnson, Netherton, O'Bryan, Rawlins, Snell, Snyder and Wolfskill—13.

Nays—Messrs. Anderson, Blythe, Boggs, Calhoun, Hancock, Hudspeth, Massey, Miller, Polk, Powers, Thompson and Welborn—12.

Absent—Messrs. Campbell, Miller, Reese and Shelton.

Absent with leave—Messrs. Lucas and Monroe.

Absent on the tobacco warehouse committee—Messrs. Detchemendy, and Jones.

On motion of Mr. Welborn,

Leave of absence was obtained for Mr. McAfee, the Sergeant-at-arms, for a few days.

Mr. Polk, from the select committee to whom was referred the petition of sundry citizens of the counties of Ripley and Wayne,

Reported a bill entitled,

An act to organize Eppes county.

The report was agreed to,

And the bill read a first time,

The rule suspended and read a second time, and

Referred to the committee on new counties.

Mr. Ellis submitted the following:

Resolved, That the resolution requiring all bills reported from the revising committee to be printed, be and the same is hereby rescinded.

Which was adopted by the following vote:

Yeas—Messrs. Acock, Anderson, Ellis, Fort, Gentry, Harper, Harris, Johnson, Miller, Netherton, O'Bryan, Rawlins, Reese, Snell, Snyder, and Wolfskill—16.

Nays—Messrs. Blythe, Boggs, Calhoun, Hancock, Hudspeth, Massey, Polk, Powers, Thompson and Welborn—10.

Absent, Messrs. Campbell, Mills and Shelton.

Absent with leave, Messrs. Lucas and Monroe.

Absent on Tobacco Warehouse committee—Messrs. Detchemendy and Jones.

Mr. Massey asked to be excused from serving as chairman of the committee on the militia.

Which was negatived.

On motion of Mr. Massey,

Mr. Thompson was added to the committee on the militia.

On motion of Mr. Polk,

Mr. Hancock was added to the committee on new counties.

On motion of Mr. Boggs,

The Senate recurred to the order of propositions and motions, and

On his further motion, the vote by which the Senate refused to excuse Mr. Massey from serving as chairman of the committee on the militia, was reconsidered.

The question was then taken on the proposition to excuse Mr. Massey from serving as chairman of the committee on the militia;

And was determined in the affirmative.

The following Senate bills were severally read a second time, and disposed of as follows:

An act for the relief of Y. Ewing,

Referred to the committee on claims.

An act for the benefit of John Harbeson,

Referred to the committee of Ways and Means.

The following was read a second time, the rule suspended, considered as engrossed, and read a third time:

An act to incorporate the town of Hermann.

Mr. Hudspeth moved to amend by way of ryder, as follows:

Add the following as an additional section.

Sec. 14. This act shall take effect from its passage.

Which was read a first time, the rule suspended,

Read a second time, considered as engrossed, and

Read a third time, when,

The bill as amended passed.

The following bills from the House of Representatives, were severally read a first time, and ordered to a second reading:

An act to allow the county court of Henry county to borrow certain money from the road and canal fund from said county.

An act declaring a certain county road in Lewis county a State road.

An act for the relief of Jones H. Owen, collector of Platte county, and

An act to render the election of clerks of certain courts uniform.

Mr. Ellis, from the committee on engrossed bills reported as truly engrossed, a bill entitled,

An act to appoint a law commissioner of St. Louis county.

Mr. Reese, on leave of the Senate, presented the petition of Isaac C. Matson, praying for permission to peddle without license.

Which was read and referred to the committee of ways and means.

Mr. Polk submitted the following:

Resolved, That a committee of three be appointed to enquire into the expediency of passing a law granting to physicians, a certain per cent. per mile and a certain per cent. profit on their medicine, and that they report by bill or otherwise.

Mr. Fort moved to amend the resolution as follows:

"And that said committee also enquire into the expediency of fixing by law, the per cent. for collection and fees of attorneys at law."

Which was agreed to.

Mr. Calhoun moved to amend as follows:

Add the following to the resolution as amended: "Provided, however, that the State of Missouri shall be responsible to all physicians and attorneys for bad debts contracted by them for professional services, and

On motion of Mr. Hudspeth.

The resolution and amendments were laid on the table.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. PRESIDENT:—

The Speaker of the House of Representatives has signed enrolled bills of the following titles:

An act to authorize Thomas J. Lockridge to sell real estate upon certain conditions.

An act concerning laws.

An act to enable counties to make contracts and hold and convey real estate.

An act to authorize the county court of Wayne county to borrow money.

An act to declare a certain road a state road.

An act for the relief of the heirs of Samuel Lackey, deceased.

An act supplementary to an act entitled an act to incorporate the town of Weston, in the county of Platte, approved February 23, 1843.

An act for the relief of William Thrailkill, collector of Grundy county; also,

A joint resolution in favor of Samuel W. Finley, collector of Pike county.

Whereupon, the bills and resolutions aforesaid, were signed by the President of the Senate.

Mr. Acock, from the committee of ways and means, to whom was referred a bill entitled:

An act for the relief of the collectors of the revenue,

On leave, reported it to the Senate, with the recommendation that it be passed.

The report was agreed to, and

The bill read a third time and passed.

The Senate adjourned until 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Huston, their assistant clerk:

Mr. PRESIDENT:

The following bills have passed the House of Representatives:

An act for the relief of Samuel Musgrove, collector of Clark county;

And the Senate bill entitled,

An act to divorce Milley Owen.

On motion of Mr. Reese,

The House bill entitled,

An act for the relief of Samuel Musgrove; collector of Clark county,

Was taken up, and read a first time, the rule suspended,

Read a second time, the rule further suspended, and

Read a third time and passed.

The Senate bill entitled,

An act to appoint a law commissioner of St. Louis county,

Was read a third time, and passed by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Calhoun, Ellis, Harris, Hudspeth, Miller, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Thompson, and Welborn—17.

Nays.—Messrs. Fort, Gentry, Hancock, Harper, Johnson and Wolfskill—6.

Absent—Messrs. Boggs, Campbell, Massey, Mills, Shelton and Snyder.

Absent with leave—Messrs. Lucas and Monroe.

On the tobacco warehouse committee—Messrs. Detchemendy and Jones.

On motion of Mr. Acock,

Resolved, by the Senate, That the door-keeper report to the Senate, at the earliest practicable period the number of servants that have been employed at any one time, since the meeting of the Legislature, and how long employed, and at what price.

On motion of Mr. Acock,

The Senate resolved itself into a committee of the whole,

Mr. Hancock in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration, bills of the following titles:

An act concerning strays.

An act to establish Recorder's offices, and

An act providing for the election of a commissioner of the permanent seat of government, and for other purposes,

And had instructed him to report the same to the Senate, without amendment, for its further action thereon.

Also, bills of the following titles:

An act to provide for the support of the poor, and

An act regulating the office of sheriff and marshal,

Had amended the same, and instructed him to report them to the Senate as amended, for its further action thereon.

Mr. Harris moved to amend the report as follows:

Strike out the 26th section of the bill entitled,

An act concerning strays,

And insert the following:

Section 26. There shall be allowed the following rewards for taking up strays:

First, For every horse, mule or ass, fifty cents.

Second, For every head of neat cattle, twenty-five cents.

Third, For all other kinds of animals, twelve and a half cents each.

The amendment was adopted, and

The report as amended was agreed to.

On motion of Mr. Rawlins,

The following bills were ordered to be engrossed:

An act concerning strays.

An act to provide for the support of the poor.

An act to establish recorder's offices.

An act to provide for the election of a commissioner of the permanent seat of government, and for other purposes, and

An act regulating the office of sheriff and marshal.

The President laid before the Senate a communication from the Secretary of State, transmitting a complete abstract of the census of this State.

Which was read and laid on the table.

Mr. Fort introduced the following joint resolution:

Resolved by the General Assembly of the State of Missouri,

That the Secretary of State, in copying the laws passed by the present General Assembly, which shall be required to be published in the revised code, shall not copy the enacting clause of the acts, the signatures of the Speaker of the House of Representatives, the President of the Senate, or the Governor, but he

shall copy the date of the approval of each act to be published at the foot of the same.

Which was read a first time and ordered to a second reading.

On motion, the Senate adjourned, until Thursday morning at 9 o'clock.

THURSDAY MORNING, *January 9, 1845.*

The Senate met pursuant to adjournment.

The President laid before the Senate a communication from the Secretary of State, transmitting in compliance with a resolution of the Senate, exhibits in relation to the publication, receipt and distribution of the laws and journals of 1842-3.

Which was read, and with the accompanying exhibits, was referred to a select committee, consisting of Messrs. Fort, Massey and O'Bryan.

Mr. Reese presented the petition of William B. Martin, praying for permission to establish a permanent ferry across the Mississippi river opposite Tully, in Lewis county.

Which was read and referred to a select committee consisting of Messrs. Reese, Welborn and Campbell.

Mr. Rawlins, on leave of the Senate introduced,

A joint resolution in relation to requiring the committee on accounts to report to the two Houses, the various sums expended by the General Assembly, and to the publication of the report with the journals.

Which was read a first time, the rule suspended,

And read a second and third time,

Mr. Reese moved to amend by way of ryder as follows:

Insert after the words "committee on accounts" the following, "of the two Houses respectively."

Which was read a first time, the rules suspended, and

Read a second and third time, and

On motion, the resolution and ryder

Were ordered to be engrossed.

The following House bills were severally read a second time and disposed of as follows:

An act to allow the county court of Henry county to borrow certain money from the road and canal fund of said county,

Referred to a select committee consisting of Messrs. Acock, Hancock and Massey.

An act for the relief of Jones H. Owen, collector of Platte county.

Referred to the committee on accounts.

An act to render the election of clerks of certain courts uniform,

Ordered to a third reading on to-morrow.

The following was read a second time, on motion, the rule suspended, and read a third time and passed,

An act declaring a certain county road in Lewis county a state road.

The Senate bill entitled,

An act to amend an act entitled an act to reduce the law incorporating the city of St. Louis, and the several acts amendatory thereof into one act, approved February 8, 1843.

Was taken up and read.

Mr. Anderson moved to amend by way of ryder as follows:

Strike out the second section, and at the end of the first section add the words:

"any thing contained in the act to which this is an amendment, to the contrary notwithstanding.

Which was read, and the bill and ryder passed over for the present.

On motion of Mr. Fort.

The Senate resolved itself into a committee of the Whole, Mr. Hudspeth in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills of the following titles:

An act concerning witnesses, and

An act to prevent certain trespasses.

And had instructed him to report the same to the Senate without amendment.

Also, bills entitled,

An act concerning the office of county surveyor.

An act respecting saline lands, and

An act concerning arbitrations and references.

Had amended the same, and instructed him to report the same to the Senate for its further action thereon.

Mr. Miller moved to amend the report as follows:

To come in as an additional section to the bill entitled: an act concerning county surveyors,

Section 20. Any county surveyor who shall fail to perform the duties required of him by this act, shall be fined in a sum not exceeding — dollars, to be recovered by action of debt at the suit of the injured party.

On motion the blank was filled with the word "ninety."

And the amendment was agreed to.

Mr. Boggs moved to lay the report on the table,

Which was negatived.

Message from the House of Representatives by Mr. Gilpin their clerk,

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act to legalize the erection of a dam across Cowskin or Elk river.

An act for the relief of Hamilton Finney and George Anowsmith.

An act for the benefit of Thomas F. Loyd.

An act to view and mark out a state road in Marion and Shelby counties.

An act for the benefit of Wm. A. Whitehead.

An act to establish a state road from Brunswick in Chariton county, to Savannah in Andrew county, through Kingston, Far West, and Rochester.

An act to improve the Navigation of the St. Francois and Big Black rivers in this State.

An act to authorize Robert Morris to peddle without license.

An act to erect a bridge across Salt river.

Memorial to Congress relative to mails and postages.

The House of Representatives has passed the following bills entitled:

An act for the relief of Absolem Hayes, collector of Warren county.

Memorial to Congress relative to the admission of the State of Iowa.

The House has rejected the bill entitled,

An act for the relief of Wm. Milburn.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The report of the committee of the whole being under consideration,

Mr. O'Bryan moved to amend the report by striking out the following amendment to the 1st section of the bill entitled,

An act respecting saline lands, viz:

Strike out the words "and half of half quarter sections," which had been adopted in committee of the whole,

Which was sustained,

And the report was agreed to.

On motion of Mr. Massey, the bills entitled.

An act concerning the office of county surveyor,

An act concerning witnesses,

An act to prevent certain trespasses,

An act respecting saline lands, and

An act concerning arbitrations and references,

Were ordered to be engrossed.

On motion of Mr. Fort,

Resolved by the Senate, That a select committee of three members be appointed to examine the Governor's House, out houses, fencing. &c., about the same, to ascertain the necessary repairs, and report to the Senate.

Thereupon, Messrs. Fort, Johnson and Mills, were appointed said committee.

Mr. Hancock, on leave of the Senate introduced a bill entitled,

An act for the relief of James Lusk.

Which was read a first time, the rule suspended,

And read a second time, and referred to the committee on the militia.

On motion of Mr. Gentry,

The House bill entitled,

An act to repeal an act to provide for the sale of land for the taxes approved Feb. 27th, 1843,

Which had been sent to the Senate with amendments to the Senate's amendments, was taken up, and

On motion of Mr. Anderson,

The Senate acceded to the request of the House in relation to returning the bill aforesaid.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed bills entitled,

An act concerning divorce and alimony.

An act respecting constables.

An act concerning inquests.

An act to authorize fees to the circuit judge in St. Louis county in vacation, and

An act concerning perpetuating testimony.

On motion of Mr. Fort, the Senate bill entitled,

An act respecting constables,

Was read a third time.

Mr. O'Bryan moved to amend by way of ryder as follows:

Strike out the 9th section, and in lieu thereof insert the following:

"Constables may serve criminal and civil process, and all other process against a constable and his sureties as such, throughout their respective counties, except where it is expressly otherwise directed.

Which was read, and,

On motion of Mr. Rawlins,

Indefinitely postponed by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Gentry, Harper, Hudspeth, Johnson, Lucas, Massey, Miller, Netherton, Polk, Rawlins, Reese, Snyder, Thompson, Welborn and Wolfskill—21.

Nays—Messrs. Ellis, Fort, Hancock, Harris, Mills, O'Bryan, Powers and Snell—8.

Absent—Mr. Shelton.

Absent with leave—Mr. Monroe.

On the Tobacco Warehouse committee, Messrs. Detchemendy and Jones.

The bill passed.

The Senate bill entitled,

An act concerning inquests,

Was read a third time.

Mr. Thompson moved to amend by way of ryder as follows:

Add at the end of the 22d section the following, "this act shall take effect from its passage."

Which was read a first time, the rule suspended,

Read a second time, considered as engrossed,

And read a third time,

And the bill as amended passed.

The Senate bill entitled,

An act concerning divorce and alimony,

Was read a third time and passed.

The Senate bill entitled,

An act concerning perpetuating testimony,

Was read a third time.

Mr. Powers moved to amend by way of ryder as follows:

Strike out in section 10th, the following words: "or the language of the witness if he do not understand the English language."

Which was read a first time, the rule suspended,

And read a second time.

The question was then taken on ordering the ryder to a third reading, and

Was determined in the negative, and

The bill passed.

The bill entitled,

An act to authorize fees to the circuit judge in St. Louis county in vacation.

Was read a third time, and

The question on its passage was decided in the negative, by the following vote:

Yeas—Messrs. Anderson, Boggs, Calhoun, Ellis, Harris, Miller, Netherton, Polk, Powers and Thompson—10.

Nays—Messrs. Acock, Blythe, Campbell, Fort, Gentry, Hancock, Harper, Hudspeth, Johnson, Lucas, Massey, Mills, O'Bryan, Rawlins, Reese, Snell, Snyder, Welborn and Wolfskill—19.

Absent—Mr. Shelton.

Absent with leave—Mr. Monroe.

On the tobacco warehouse committee—Messrs. Detchemendy and Jones.

Message from the House of Representatives, by Mr. Huston, assistant clerk.

MR. PRESIDENT:

The House has passed a Senate bill entitled,
An act for the relief of the collectors of the revenue.

Mr. Massey submitted the following:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of imposing a tax in the shape of a license upon doctors and lawyers.

The question was pending on the adoption of the resolution, when,

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *January* 10, 1845.

The Senate met pursuant to adjournment.

On motion of Mr. Boggs,

A call of the House was ordered.

The roll being called,

Messrs. Blythe, Boggs, Campbell, Fort, Hancock, Harper, Hudspeth, Johnson, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Snyder and Thompson—16,

Severally answered to their names.

Absent—Messrs. Acock, Anderson, Calhoun, Ellis, Gentry, Harris, Lucas, Massey, Miller, Mills, Netherton, Shelton, Welborn and Wolfskill.

Absent with leave, Mr. Monroe.

Absent, on the Tobacco Warehouse committee, Messrs. Detchemendy and Jones.

The door keeper was despatched to notify the absentees.

A quorum having appeared,

On motion of Mr. Snyder,

All further proceedings under the call were dispensed with.

Mr. Hancock, from the committee on claims, to whom was referred a bill entitled,

An act for the relief of Y. Ewing,

Reported it back without amendment, and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

Mr. Hudspeth, on leave of the Senate, introduced a bill entitled,

An act for the relief of Syrus H. Frost, late collector of Crawford county.

Which was read a first time the rule suspended, and

Read a second time, and

Referred to the committee on claims.

Joint resolution in relation to copying the revised laws of the present session,

Was read a second time, ordered to be engrossed,

And ordered to be read a third time.

The following House bill was read a third time and passed.

An act to regulate fees in certain cases.

The Senate bill entitled,

An act in relation to locating state roads,

Was read a third time.

The question on its passage was determined in the negative, by the following vote:

Yeas—Messrs. Anderson, Harris, Hudspeth, Johnson, Lucas, Massey, O'Bryan, Snell, Thompson and Welborn—10.

Nays—Messrs. Blythe, Boggs, Calhoun, Ellis, Fort, Gentry, Hancock, Mil

ler, Netherton, Polk, Powers, Rawlins, Reese Snyder and Wolfskill—15.

Absent—Messrs. Acock, Campbell, Harper, Mills and Shelton.

Absent with leave—Mr. Monroe.

Absent on Tobacco Warehouse committee—Messrs. Detchemendy and Jones.

The bill from the House of Representatives entitled.

An act to render the election of clerks of certain courts uniform,

Was read a third time and passed.

The memorial from the House of Representatives entitled,

A memorial to Congress relative to the admission of the State of Iowa,

Was read a first time, the rule suspended,

Read a second and third time and passed.

The following House bill entitled,

An act for the relief of Abraham Hays, collector of Warren county,

Was read a first time, and

On motion of Mr. Hudspeth,

Laid on the table until the 4th day of July next.

On motion of Mr. Fort,

The vote on the passage of the memorial from the House entitled,

Memorial to Congress relative to the admission of the State of Iowa,

Was reconsidered.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act concerning coroners.

An act regulating inclosures.

Joint resolution in relation to requiring the committee on accounts to report the various sums expended by the General Assembly, and to the publication of the report with the journals, and

An act relative to fugitives from other States.

The following Senate bills were severally read a third time and passed:

An act for the benefit of the Missouri Historical and Philosophical Society.

An act concerning coroners.

An act relative to fugitives from other States.

An act regulating inclosures, and the

Joint resolution in relation to requiring the committee on accounts to report the various sums expended by the General Assembly, and to the publication of the report with the journals,

Was read a third time and passed by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Campbell, Calhoun, Fort, Gentry, Hancock, Harper, Harris, Johnson, Lucas, Massey, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Snyder, Thompson Welborn and Wolfskill—24.

Nays—Messrs. Boggs, Hudspeth, Miller and Mills—4.

Absent, Messrs. Ellis and Shelton.

Absent with leave, Mr. Monroe.

Absent on the tobacco warehouse committee—Messrs. Detchemendy and Jones.

The resolution submitted by Mr. Massey, in relation to instructing the committee of ways and means to enquire into the expediency of taxing doctors and lawyers,

Was taken up.

Mr. Ellis moved to amend the resolution as follows:

Strike out all after the word "expediency," and insert in lieu thereof the following, "of regulating the practice of medicine by law, and laying a tax on doctors and lawyers, and report by bill or otherwise."

Mr. Fort moved to amend the amendment as follows:

Add the following, to come in after the word lawyers, "deeds of conveyance of real estate, mortgages and deeds of trust."

Which was rejected, and

The question being taken on the adoption of the amendment offered by Mr. Ellis,

Was decided in the affirmative, and

The question recurring on the adoption of the resolution as amended,

Was determined in the affirmative by the following vote:

Yeas.—Messrs; Acock, Anderson, Boggs, Calhoun, Ellis, Fort, Gentry, Hancock, Harris, Johnson, Lucas, Massey, Mills, Polk, Rawlins, Snyder, Welborn and Wolfskill—18.

Nays.—Messrs. Blythe, Campbell, Harper, Hudspeth, Miller, Netherton, O'Bryan, Powers, Reese, Snell and Thompson—11.

Absent—Mr. Shelton.

Absent with leave—Mr. Monroe.

Absent on the Tobacco Warehouse committee—Messrs. Detchemendy and Jones.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act for the relief of the collectors of the revenue.

An act to change a certain portion of a state road.

An act to change the name of Matilda T. C. Woolfolk.

An act to authorise the county court of Madison county to use certain paper.

An act for the relief of B. J. Brown, late collector of Ray county.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:—The following bills have been introduced into the House of Representatives:

An act declaring certain trespasses felons.

An act to provide for assessing the taxes.

The House has indefinitely postponed the bill entitled,

An act amendatory to an act to encourage the destruction of wolves.

The House has passed the following bills:

An act to authorize the county court of Osage county, to divide the county revenue for certain purposes.

An act to incorporate the town of Platte City.

An act to incorporate the southern levying and draining company of Missouri.

An act for the benefit of Abraham Brown.

The following Senate bills have passed the House,

An act to appoint a law commissioner for St. Louis county,

An act to repeal an act respecting the 14th judicial circuit.

The House of Representatives has amended the amendment of the Senate to the House bill entitled,

An act to repeal an act to provide for the sale of lands for the taxes approved Feb. 27, 1843,

And ask the concurrence of the Senate therein.

The House has adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring therein:

That the two Houses will meet on the 2nd Monday in January, instant, at 10 A. M., in the hall of the House of Representatives and elect a State Treasurer.

Resolved, That the two Houses, when convened, shall proceed to the election of a register and receiver for the land office at Sparta, a register and receiver for the land office at Springfield; a register and receiver for the land office at Edina, and a register and receiver for the land office at Chilicothe.

The Speaker has signed the following enrolled bills,

An act supplementary to an act to define the bounds of Scotland county and for other purposes, approved January 6th, 1843,

An act declaring Platte river a public highway.

An act to legalize the acts of the commissioners locating the seat of justice of Scotland county.

An act concerning notaries public.

An act to view and mark out a state road from Weston, in Platte county, to St. Josephs, in Buchanan county, and

An act for the relief of Samuel Musgrove, collector of Clark county,

Whereupon the aforesaid bills were signed by the President of the Senate.

On motion of Mr. Anderson,

The Senate resolved itself into a committee of the whole, Mr. Campbell in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act concerning descents and distributions, and

An act concerning insane persons.

Had agreed to the same, and instructed him to report them to the Senate without amendment, for its further action thereon.

Also, the bill entitled,

An act concerning mills and mill dams, and

An act to establish and regulate the Treasury Department.

Had amended the same, and instructed him to report them to the Senate, for its further action thereon.

The report was agreed to, and

On motion of Mr. Acock,

The bills were ordered to be engrossed.

On motion of Mr. Welborn,

The amendment of the House of Representatives to the Senate's amendment to the House bill entitled,

An act to repeal an act to provide for the sale of land for Taxes, approved Feb. 27th, 1843,

Was taken up, and

On motion of Mr. Acock,

The Senate disagree to the amendment of the House of Representatives by the following vote:

Yeas—Messrs. Acock, Blythe, Fort, Hancock, Hudspeth, Johnson, Massey, Miller, Polk, Powers, Rawlins, Reese, Snyder, Thompson, Welborn and Wolfskill—16.

Nays—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, O'Bryan and Snell—13.

Absent—Mr. Shelton.

Absent with leave—Mr. Monroe.

Absent on the Tobacco Warehouse committee, Messrs, Detchemendy and Jones.

On motion of Mr. Welborn,

The resolutions from the House of Representatives in relation to the joint meeting on the 2nd Monday of January, instant, for the purpose of electing a Treasurer, and a Register and Receiver for the different State land offices,

Were taken up and concurred in.

On motion,

The Senate adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, *January 11, 1845.*

The Senate met pursuant to adjournment.

Mr. Wolfskill presented the petition of Congreve J. Worden, praying a divorce from Elizabeth his wife.

Which was read and referred to a select committee, consisting of Messrs. Wolfskill, Fort and Polk.

Mr. Hancock, from the committee on claims, to whom was referred a bill from the House of Representatives entitled,

An act for the relief of Francis Parker, clerk of the circuit court of Lincoln county,

Reported it back to the Senate, with an amendment, and recommended its passage.

The report was agreed to, and the bill as amended,

Was read a third time and passed.

Mr. Fort, from the joint committee on revision,

Reported with amendments, bills entitled,

An act to establish and regulate the penitentiary, and

An act regulating the interest of money.

The report was agreed to, and the accompanying bills were severally read a first time, the rule suspended, read a second time, and committed to a committee of the whole.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, Bills entitled,

An act to repeal an act respecting the 14th judicial circuit.

A memorial respecting the great swamp in the south eastern portion of Missouri.

An act to authorise the sale of the real estate belonging to the minor heirs of Ira M. Brooks, and

An act to divorce Milley Owen.

Mr. Anderson, from the committee on accounts, to whom was referred the House bill entitled,

An act for the relief of Jones H. Owen, collector of Platte county,

Reported it to the Senate, and asked to be discharged from the further consideration thereof.

The report was agreed to, and

On motion of Mr. Anderson,

The bill was referred to the committee of ways and means.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act to provide for the support of the poor.

An act to establish recorders' offices.

An act to prevent certain trespasses, and

An act concerning salvage.

Mr. Lucas, from the select committee to whom was referred the petition of Mary O. McTaggart and others, praying for an act of incorporation, reported a bill entitled,

An act to incorporate the St. Vincent's Free School of St. Louis,

Which was read a first time, and ordered to a second reading.

On motion of Mr. Hudspeth,

Resolved by the Senate, the House of Representatives concurring therein:

That on Monday next, the two Houses, when in joint session, and immediately after the election of a State Treasurer, Registers and Receivers of the different land offices within this State, shall proceed to elect a commissioner for the permanent seat of government, for the next two years.

On motion of Mr. Polk,

Resolved by the Senate, That the commissioner on the permanent seat of government be requested to have the basement story of the capitol cleaned and closed in such manner as to keep all persons out during the remainder of the session.

Mr. Welborn, on leave, introduced a bill entitled,

An act supplementary to an act to provide for the organization, support and government of common schools, approved Feb. 9th, 1839.

Which was read a first time, the rule suspended, read a second time, and referred to the committee on education.

The following bills were, on leave, severally introduced, read a first time, and ordered to a second reading.

By Mr. Blythe:

An act to amend an act entitled an act to provide for the payment of certain troops employed in the service of the State, in the year 1836, approved Feb. 25th, 1843.

By Mr. Lucas:

An act to incorporate the Orphans Home.

On motion of Mr. Hudspeth, the vote on the adoption of the resolution offered by him in relation to the election of a commissioner of the permanent seat of government, was reconsidered.

Mr. Fort moved to amend the resolution as follows:

Insert after the word "government," in the last line the following, "and Curators of the State University."

Which amendment was accepted by Mr. Hudspeth:

And the resolution as amended, was adopted.

The President laid before the Senate the report of the door-keeper, in compliance with a resolution of the Senate, requiring him to report at the earliest practicable period, the number of servants employed by him at any one time, since the meeting of the Legislature, how long employed, and at what price.

Which was read and referred to the committee on accounts.

On motion of Mr. Polk,

Resolved by the Senate of Missouri, That the committee of ways and means be instructed to enquire into the propriety of providing by law for the repeal of such statutes as require merchants in this State to pay a license tax, and that in lieu thereof, an *ad valorem* tax of per cent. be imposed on the capital employed by them in merchandize, and that the committee are authorised to report by bill or otherwise.

Mr. Miller, from the committee on the permanent seat of government, to whom was referred a bill, from the House of Representatives, entitled,

An act for repairing the capitol,

Reported the same to the Senate—with amendments.

The report was agreed to, and the amendments ordered to be engrossed.
Mr. Wolfskill submitted the following:

Resolved, by the Senate, the House of Representatives concurring therein:

That the joint committee on enrolled bills be required to report to their respective Houses the day on which enrolled bills are presented to the Governor for his approval.

Which was rejected.

Mr. Campbell submitted the following:

Resolved, That the committee on revision be instructed in reporting bills on the subject of practice at law and executions, to disregard the provisions of the act abolishing imprisonment for debt, approved January 17th, 1843.

Mr. Miller offered the following amendment:

Strike out all of the original resolution after the word resolved, and in lieu thereof insert the following:

"That the joint committee on revision be instructed to report as early as may be, a bill to provide for the imprisonment of persons guilty of frauds, or of making fraudulent conveyances, with the view of avoiding the payment of their debts; or who shall be convicted of trespass or trespasses upon the case, and shall refuse to pay the damages recovered against him.

Message from the House of Representatives by Mr. Huston, assistant clerk:

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act to repeal an act for the benefit of Joseph Houdeshell, jr., approved Feb. 22. 1843.

An act concerning circuit courts.

An act for the relief of Jacob Bylen.

An act to repeal the 13th section of an act to incorporate the St. Louis and St. Charles turnpike road.

Joint resolution relating to the circulation of the Branch Bank at Fayette.

The following bills have passed the House:

An act to regulate actions on penal bonds.

An act respecting the road and canal fund.

An act respecting public administrators.

An act to authorize officers to call to their assistance the power of the county

An act respecting seminary lands.

An act respecting marriage contracts.

An act to prevent the firing of woods, marshes and prairies.

An act concerning slaves.

A memorial to the Congress of the United States asking for the improvement of White river.

Joint resolution in relation to the public printing.

Joint resolutions in relation to revised statutes.

The following Senate memorial has passed the House:

A memorial to the Congress of the United States in relation to the occupation of Oregon Territory.

The Speaker has signed the following enrolled bills:

An act to change the name of Matilda T. C. Woolfolk.

An act to change a portion of a state road.

An act for the relief of the collectors of the revenue.

An act for the relief of B. J. Brown, late collector of Ray county.

An act to authorize the county court of Madison county to use certain paper.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

The question was pending on the adoption of the amendment offered by Mr. Miller to Mr. Campbell's resolution, when

On motion, the Senate adjourned until Monday morning at 10 o'clock.

MONDAY MORNING, *Jan. 13, 1845.*

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The following bills have been introduced into the House of Representatives:

An act to authorize the county court of Dallas county to borrow the road and canal fund belonging to said county.

An act concerning grand and petit jurors.

An act for the relief of Jeremiah Philips, late sheriff of Linn county.

An act for the benefit of Jacob Cutler.

The House of Representatives declines to recede from its amendment to the amendment of the Senate to the House bill entitled:

An act to repeal an act to provide for the sale of the land for taxes, approved February 27, 1843.

And insists thereon, and requests the concurrence of the Senate therein.

The House of Representatives has agreed to the report of the committee on joint rules, and has adopted the joint rules of the 11th General Assembly.

The following joint resolution has passed the House of Representatives:

Joint resolution relating to the circulation of the branch bank at Fayette.

The Speaker has signed the enrolled bills entitled,

An act concerning attorneys at law.

An act to regulate proceedings on writs of mandamus.

An act concerning depositions.

An act for the relief of Milley Owen.

An act to repeal an act respecting the 14th judicial circuit.

Memorial to Congress on swamp lands.

An act to authorize the sale of real estate, belonging to the minor heirs of Sarah M. Brooks.

An act to authorise the appointment of a law commissioner for the county of St. Louis.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

Mr. O'Bryan presented the petition of sundry citizens of Boonville, praying an amendment to the act entitled,

An act to incorporate the Boonville Fire Company, approved February 11th, 1839.

Which was read and referred to a select committee consisting of Messrs. O'Bryan, Beggs and Powers.

Mr Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act to authorise the appointment of a law commissioner of St. Louis county.

Mr. Acock, from the committee on internal improvements, to whom was referred a resolution instructing said committee to enquire into the expediency of

establishing a board of internal improvements, whose duty it should be to continue the examination of such rivers and roads as were not examined by the former board, reported that the committee had had the subject under consideration, and unanimously directed him to report that it would be inexpedient to establish a board of internal improvements at this time.

The report was agreed to.

Mr. Hancock, from the committee on claims, to whom was referred a bill entitled:

An act for the relief of Wm. W. Compton,

Reported it to the Senate with an amendment, and recommended its passage as amended.

The report was agreed to,

And the bill was read a third time and passed.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled;

An act providing for the election of a commissioner of the permanent seat of government, and for other purposes.

An act concerning descents and distributions.

An act regulating the office of sheriff and marshal,

An act concerning the office of county surveyor.

An act concerning saline lands.

An act concerning mills and mill dams,

An act concerning witnesses. Also,

A joint resolution in relation to copying the revised laws of the present session.

Mr. Acock, from the select committee to whom was referred, a bill entitled,

An act to allow the county court of Henry county to borrow certain money from the road and canal fund of said county,

Reported a substitute for the bill.

The report was read and agreed to,

And the substitute read a second and third time and passed, on a suspension of the rules.

On motion of Mr. Fort,

The resolution from the House entitled,

Joint resolution relating to the circulation of the Branch Bank at Fayette,

Was taken up,

Read a first time, the rule suspended,

Read a second time, and

On motion of Mr. Anderson,

Committed to a committee of the whole by the following vote:

Yeas.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Hudspeth, Lucas, Massey, Miller, Mills, O'Bryan, Polk, Powers, Reese, Shelton, Snell and Snyder—21.

Nays.—Messrs. Acock, Blythe, Fort, Harris, Johnson, Netherton, Rawlins, Thompson Welborn and Wolfskill—10.

Absent with leave, Mr. Monroe.

Absent, on Tobacco Warehouse committee, Mr. Jones.

On motion of Mr. Acock,

Resolved, by the Senate, That a committee of conference be appointed, consisting of three on the part of the Senate, and such number as the House may appoint, to take into consideration the disagreement of the two Houses, on the amendment of the House to the Senate's amendment to the House bill entitled,

An act to repeal an act to provide for the sale of land for the taxes, approved Feb. 27, 1843.

Whereupon the President appointed Messrs. Acock, Lucas and Rawlins, the committee on the part of the Senate.

On motion of Mr. Calhoun,

Resolved, by the Senate, That the committee on revision are hereby instructed to report such a bill as will, in their opinion remedy the difficulty now existing between the clerks of the county courts and the county treasurers of the several counties in this State, as to which office the bonds and mortgages given for the purchase of school lands properly belongs.

Message from the House of Representatives by Mr. Kirtly, a member.

MR. PRESIDENT:

The House has agreed to the resolution of the Senate in relation to the election of curators of the State university, with the following amendment:

Amend by adding to the resolution, "and for four and six years, so as to fill said board of curators.

On motion of Mr. Fort,

The amendment of the House to the resolution aforesaid,
Was taken up and concurred in.

On motion of Mr. Lucas,

The joint resolution in relation to the public printing,
Was taken up and read a first time.

Mr Lucas further moved a suspension of the rules, and that it be read a second time now.

Which was negatived.

Message from the House of Representatives by Mr. Huston, assistant clerk:

MR. PRESIDENT:—

The Speaker of the House of Representatives has signed enrolled bills of the following titles:

An act for the relief of Francis Parker, clerk of the circuit court of Lincoln county.

An act declaring a certain county road in Lewis county, a state road.

Whereupon, the President of the Senate, signed the enrolled bills aforesaid.

On motion, the Senate repaired to the hall of the House of Representatives.

The President of the Senate took the chair and announced the object of the meeting.

Nominations for the office of Treasurer, being in order,

Mr. Martin of the House, nominated Peter G. Glover.

On the first ballot there appeared,

For Mr. Glover, 126 votes.

The Senators voted as follows:

For Mr. Glover—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—30.

Absent—Mr. Massey.

Absent with leave—Mr. Monroe.

On the Tobacco Warehouse committee, Mr. Jones.

Whereupon, Mr. Peter G. Glover having received a majority of the votes given, was declared duly elected Treasurer of the State of Missouri for the two years ensuing.

Nominations for the office of register of the land office at Sparta, being in order,

Mr. Hughes of Platte, of the House, nominated Nathaniel Burrows.

Mr. Thompson nominated William Curle.

Mr. McHenry, of the House, nominated Wm. B. Kelley.

On the first ballot there appeared,

For Mr. Burrows—96 votes.

For Mr. Curle—14 votes.

For Mr. Kelley—16 votes.

The Senators voted as follows:

For Mr. Burrows—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Massey, Mills, Netherton, O'Bryan, Polk, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—25.

For Mr. Curle—Messrs. Acock, Hancock, Lucas, Miller, Powers and Thompson—6.

Absent with leave—Mr. Monroe.

On the tobacco warehouse committee—Mr. Jones.

Whereupon, Mr. Nathaniel Burrows having received a majority of the votes given, was declared duly elected register of the State land office at Sparta, for the two years next ensuing.

Nominations for the office of receiver of the land office at Sparta, being in order,

Mr. Miller of the House, nominated Charles W. Baker.

Mr. Blythe nominated Achilles Jasper.

The vote being taken, there appeared on the first ballot,

For Mr. Baker—52 votes.

For Mr. Jasper—72 votes.

For Mr. Roubidoux—1 vote.

The Senators voted as follows:

For Mr. Baker—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harris, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Snell and Wolfskill—18.

For Mr. Jasper—Messrs. Acock, Blythe, Dethemendy, Hancock, Harper, Hudspeth, Johnson, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn—13.

Absent with leave, Mr. Monroe.

On committee, Mr. Jones.

Whereupon, Mr. Achilles Jasper, having received a majority of the votes given, was declared duly elected, receiver of the State Land office at Sparta, for the ensuing two years.

Nominations for the office of register of the land office at Edina, being in order,

Mr. Jones of the House, nominated James A. Reid,

On the first ballot there appeared,

For Mr. Reid—113 votes.

The Senators voted as follows:

For Mr. Reid—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun,

Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—29.

Absent—Messrs. Fort and Snell.

Absent with leave—Mr. Monroe.

On the tobacco warehouse committee—Mr. Jones.

Whereupon, Mr. James A. Reid, having received a majority of the votes given, was declared duly elected register of the State land office at Edina, for the two years next ensuing.

Nominations for receiver of the land office at Edina, being in order,

Mr. Jones of the House, nominated Peter Early.

On the first ballot there appeared,

For Mr. Early—106 votes.

The Senators voted as follows:

For Mr. Early—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn, and Wolfskill—29.

Absent, Messrs. Lucas, Snell and Thompson.

With leave, Mr. Monroe.

On committee, Mr. Jones.

Whereupon, Mr. Peter Early was declared duly elected receiver of the State land office at Edina, for the ensuing two years, having received a majority of the votes given.

On motion of Mr. Edwards of the House,

The two houses went into a recess until 2 o'clock, and re-assembled at the appointed time.

The President of the Senate announced that nominations for register of the land office at Chilicothe, were now in order.

Mr. Johnson of Livingston, of the House, nominated Benjamin F. Tarr.

On the first ballot there appeared,

For Mr. Tarr—96 votes.

The Senators voted as follows:

For Mr. Tarr—Messrs. Acock, Boggs, Blythe, Campbell, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Miller, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder, Welborn and Wolfskill—23.

Absent—Messrs. Anderson, Detchemendy, Lucas, Massey, Mills, Reese, Snell and Thompson.

With leave, Mr. Monroe.

On committee, Mr. Jones.

Whereupon, Mr. Benjamin F. Tarr having received a majority of the votes given, was declared duly elected register of the State land office at Chilicothe, for the ensuing two years.

Nominations for receiver of the land office at Chilicothe, being in order,

Mr. Johnson, of Livingston, of the House nominated John Graves.

On the first ballot there appeared,

For Mr. Graves—97 votes.

The Senators voted as follows;

For Mr. Graves—Messrs. Acock, Blythe, Boggs, Campbell, Calhoun, Detchemendy,

mendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder, Welborn and Wolfskill—23.

Absent—Messrs. Anderson, Lucas, Massey, Miller, Mills, Reese, Snell and Thompson.

Absent with leave—Mr. Monroe.

On committee—Mr. Jones.

Whereupon, Mr. Graves having received a majority of the votes given, was declared duly elected receiver of the State land office at Chillicothe, for the ensuing two years.

Nominations for the register of the land office at Springfield being in order, Mr. Hancock nominated Rodolph A. Huffard.

On the first ballot there appeared,

For Mr. Huffard—98 votes.

The Senators voted as follows:

For Mr. Huffard—Messrs. Acock, Blythe, Boggs, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder, Welborn and Wolfskill—21.

Absent—Messrs. Anderson, Campbell, Detchemendy, Lucas, Massey, Miller, Mills, Reese, Snell and Thompson.

With leave—Mr. Monroe.

On committee—Mr. Jones.

Whereupon Mr. Rodolph A. Huffard, having received a majority of the votes given, was declared duly elected register of the State land office at Springfield, for the ensuing two years.

Nominations for receiver at the land office at Springfield being in order, Mr. James of the House, nominated Joshua Davis.

On the first ballot Mr. Davis received 101 votes.

The Senators voted as follows:

For Mr. Davis—Messrs. Acock, Blythe, Boggs, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder, Thompson, Welborn and Wolfskill—22.

Absent—Messrs. Anderson, Campbell, Detchemendy, Lucas, Massey, Miller, Mills and Reese.

With leave—Mr. Monroe.

On committee—Mr. Jones.

Whereupon, Mr. Joshua Davis, having received a majority of all the votes given, was declared duly elected receiver of the State land office at Springfield, for the two years next ensuing.

The President announced that nominations for the office of commissioner of the permanent seat of government were in order.

Mr. Martin, of the House, nominated Richard B. Jackson.

Mr. Martin also nominated Peter McLain.

On the first ballot there appeared,

For Mr. Jackson—93 votes.

For Mr. McLain—13 votes.

The Senators voted as follows:

For Mr. Jackson—Messrs. Acock, Blythe, Boggs, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Netherton, Polk, Powers, Rawlins, Shelton, Snyder, Thompson, Welborn and Wolfskill—19.

For Mr. McLain—Messrs. Gentry, Mills, O'Bryan and Snell—4.

Absent—Messrs. Anderson, Campbell, Calhoun, Detchemendy, Lucas, Massey, Miller and Reese.

With leave Mr. Monroe.

On committee—Mr. Jones.

Whereupon Mr. Richard B. Jackson, having received a majority of the votes given, was declared duly elected commissioner of the permanent seat of government for the two years next ensuing.

Mr. Kirtly, of the House, offered the following resolution:

Resolved, by the Senate and House of Representatives, in joint meeting assembled: That Claiborne F. Jackson of Howard county, William G. Minor of Cole county, Moss Prewitt, Alexander H. Robinson and Alexander Persinger, of Boone county, be and they are hereby appointed curators of the University of the State of Missouri for the next ensuing six years. That John Slack of St. Louis county, be and he is hereby appointed a curator of the University of the State of Missouri for the next ensuing four years; and that Thomas M. Allen of Boone county, be and he is hereby appointed a curator of the University of the State of Missouri for the next ensuing two years.

Which was adopted by the following vote:

Yeas.—100. *Nays.*—None.

The names of the Senators voting for the adoption of the resolution, are as follows:

Messrs. Acock, Blythe, Boggs, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snell, Snyder, Welborn and Wolfskill—23.

Absent—Messrs. Anderson, Campbell, Detchemendy, Lucas, Massey, Miller, Reese and Thompson.

With leave—Mr. Monroe.

On committee—Mr. Jones.

On motion of Mr. Boggs,

The Senate retired from the Hall of the House of Representatives, assembled in its own chamber,

And on motion,

Adjourned until to-morrow morning at 10 o'clock, A. M.

TUESDAY MORNING, *January 14, 1845.*

The Senate met pursuant to adjournment.

Mr. Detchemendy presented the memorial of the county court of St. Genevieve county, in relation to the school lands of said county.

Which was referred to a select committee consisting of Messrs. Detchemendy, Campbell and Hudspeth.

Mr. Polk presented the petition of sundry citizens of Madison county, praying for the organization of a new county.

Which was referred to the committee on new counties.

Mr. Polk, on leave, introduced a bill entitled,

An act to repeal certain acts passed in 1843, to repeal certain laws regulating practice at law.

Which was read a first time,

And ordered to a second reading.

Mr. Fort submitted the following:

Resolved by the Senate, That the committee on the Bank be, and is hereby instructed to introduce joint resolutions instructing the directors of the Bank, on the part of the State, to deliver to such committee, or agent as may be appointed by the General Assembly, all the unsold State bonds now in possession of the Bank.

Which, on motion of Mr. Welborn,

Was passed over for the present.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act amendatory of an act to provide for the selection and sale of the lands granted to this State by an act of Congress approved September 4th, 1841, approved February 27th, 1843.

The following resolution has been adopted by the House of Representatives:

Resolved, by the House of Representatives the Senate, concurring therein:

That the joint committee be appointed to consist of fifteen on the part of the House, and on the part of the Senate, whose duty it shall be to apportion the representatives in this State for the next four years.

Messrs. McHenry, Lusk, Calhoun, Ellis, Wallis, Montgomery, Moss, Jennings, Parks, Griffin, Cooper, Chinault, Holden, Johnson of L., and Stringfellow, have been appointed on said committee.

The President laid before the Senate a communication from the Secretary of State in relation to a supply of measures, to this State from the General Government, which was read, and with the accompanying documents,

Was referred to the committee on agriculture.

Mr. Welborn offered the following:

Resolved, That the committee of ways and means be instructed to report to the Senate, at the earliest possible period, touching the subject of a bill referred to said committee, on the 27th day of November last, and entitled,

An act to provide for assessing taxable property, and for making lists of the same.

Mr. Thompson moved to lay the resolution on the table.

Which was negatived.

And the question recurring on the adoption of the resolution,

It was determined in the affirmative.

Mr. Rawlins, from the committee on enrolled bills reported that the committee had this day presented to the Governor for his approval and signature, enrolled bills entitled,

An act for the relief of Milly Owen.

An act to authorize the sale of the real estate belonging to the minor heirs of Sarah M. Brooks.

An act to appoint a law commissioner of St. Louis county.

An act to repeal an act respecting the 14th judicial circuit.

A memorial to Congress of the United States respecting the great swamp in the south-eastern portion of this State.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed bills entitled,

An act concerning strays.

An act relative to insane persons, and

Amendments to the bill entitled,

An act for repairing the capitol.

On motion of Mr. Thompson,

The bill from the House of Representatives, entitled:

An act amendatory of an act to provide for the selection and sale of the lands granted to this State by an act of Congress approved September 4, 1841, approved February 27, 1843,

Was taken up, read a first time,

The rule suspended, and

Read a second and third time and passed.

The Senate bill entitled,

An act to incorporate the St. Vincents free school of St. Louis, and

An act to incorporate the Orphans home,

Were severally read a second time,

And ordered to be engrossed and read a third time.

The following was read a second time:

An act to amend an act entitled an act to provide for the payment of certain troops employed in the service of the State, in the year 1836, approved February 23, 1843.

Mr. Fort moved to refer it to the committee on claims,

Which was negatived, and

On motion of Mr. Reese,

The bill was considered as engrossed, the rule suspended, and read a third time, and passed.

The House bill entitled,

An act for the relief of Jefferson county,

Was read a second time, and ordered to a third reading.

The resolution from the House entitled,

Joint resolution in relation to public printing,

Was read a second time, and

Committed to a committee of the whole.

The following Senate bills were severally read a third time and passed:

An act regulating the office of sheriff and marshal.

An act respecting salvage.

An act to provide for the support of the poor.

An act to establish recorder's offices.

An act to provide for the election of a commissioner of the permanent seat of government, and for other purposes.

An act concerning the office of county surveyor.

An act concerning mills and mill dams.

An act concerning witnesses, and

An act to prevent certain trespasses.

The bill entitled,

An act respecting saline lands,

Was read a third time.

Mr. Fort moved to amend by way of rider, as follows:

Insert after the words "half quarter sections," in the 3rd line, the words "and quarter quarter sections."

Which was read a first time.

Mr. Rawlins moved to reject the ryder.

The question on the rejection of the ryder was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Campbell, Ellis, Hancock, Mills, Netherton, Powers Rawlins and Wolfskill—9.

Nays.—Messrs. Anderson, Blythe, Boggs, Calhoun, Detchemendy, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, O'Bryan, Polk, Reese, Shelton, Snell, Snyder, Thompson and Welborn—21.

Absent, Mr. Miller.

With leave, Mr. Monroe.

On committee, Mr. Jones.

The ryder was then read a second time,

Considered as engrossed,

And read a third time, when,

The bill as amended passed.

Joint resolution in relation to copying the revised laws of the present session,

Was read a third time, and

On motion of Mr. Massey,

Laid on the table.

The bill entitled,

An act concerning strays,

Was passed over for the present.

The following was referred to a select committee consisting of Messrs. Anderson, Lucas and Mills:

An act to amend an act to reduce the law incorporating the city of St. Louis, and the several acts amendatory thereof, into one act, approved 8th February, 1843.

The House bill entitled,

An act for the relief of Nathaniel Harmon,

Was read a third time and passed.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The Senate bill entitled,

An act concerning strays,

Was read a third time and passed.

The memorial from the House of Representatives entitled,

Memorial to Congress relative to the admission of the State of Iowa,

Was read.

Mr. Acock moved to lay it on the table,

Which was negatived by the following vote:

Yeas.—Messrs. Acock, Fort, Harper, Hudspeth, Massey, Polk, Powers, Rawlins, Snyder and Wolfskill—10.

Nays.—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Gentry, Harris, Johnson, Lucas, Mills, Netherton, O'Bryan, Shelton, Snell, Thompson and Welborn—17.

Absent—Messrs. Ellis, Hancock, Miller and Reese.

Absent with leave—Mr. Monroe.

On committee—Mr. Jones.

And on motion of Mr. Detchemendy, the memorial was laid on the table until Thursday next.

The bill from the House of Representatives entitled,

An act for repairing the capitol,

With the amendment of the Senate thereto,

Was read a third time and passed.

On motion of Mr. Welborn,

The House bill entitled,

An act for establishing and keeping in repair roads and highways in the counties of St. Charles, Warren, Lincoln, Pike and Montgomery,

Was taken up.

Mr. Shelton moved to amend by way of ryder as follows:

Strike out the words "Warren and St. Charles," wherever they occur in the bill.

Which was read a first and second time, considered as engrossed, rules suspended, and read a third time.

Mr. Welborn moved to amend by way of ryder as follows:

To come in as an additional section.

"Provided that this act shall not apply to the State roads in Pike county, provided also that so much of the above act as relates to the apportionment of workers on roads shall not apply to Pike county.

Which was read a first and second time,

Considered as engrossed, and read a third time, when

The bill as amended passed.

On motion of Mr. Fort,

The Senate resolved itself into a committee of the whole, Mr. Wolfskill in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration a bill entitled:

An act respecting seed horses,

And had instructed him to report the same to the Senate, without amendment, for its further action thereon.

Also, a bill entitled,

An act explanatory of an act entitled an act to provide for the call of a convention,

And had instructed him to report the same to the Senate, with the recommendation that it be rejected.

On motion of Mr. Fort,

A division of the question on agreeing to the report of the committee, was ordered,

The question on agreeing to the first branch of the report, in relation to the bill entitled,

An act respecting seed horses,

Was decided in the affirmative.

The question on agreeing to the second branch of the report in relation to the bill entitled,

An act explanatory of an act entitled an act to provide for the call of a convention,

Was also decided affirmatively.

On motion of Mr. Welborn,

The resolution from the House of Representatives relative to the appoint-

ment of a joint committee on apportionment, was taken up,

On motion of Mr. Fort, the blank in the resolution was filled with "seven," and

The resolution was adopted.

On motion, the Senate adjourned, until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, *January 15, 1845.*

The Senate met pursuant to adjournment.

The President of the Senate announced Messrs. Blythe, Acock, Snyder, Lucas, Gentry, Welborn and O'Bryan, as the committee on apportionment on the part of the Senate.

Mr. O'Bryan presented the petition of sundry merchants and others of the city of Boonville, praying for an amendment of the law relative to auctioneers.

Which was read and referred to a select committee, consisting of Messrs. O'Bryan, Acock and Massey.

Mr. Campbell presented the petitions of James S. Henning and other citizens of Clark county, in relation to the town of St. Francisville, which were referred to a select committee consisting of Messrs. Campbell, Reese and Welborn.

Mr. Hancock, from the committee on claims, to whom was referred a bill entitled,

An act for the relief of Syrus H. Frost, late sheriff of Crawford county;

Reported it to the Senate without amendment, and recommended its passage.

The report was agreed to, and the bill

Was read a third time and passed.

Mr. O'Bryan, from the select committee, to whom was referred the petition of the Boonville Fire Company,

Reported a bill entitled.

An act to amend an act to incorporate the Boonville Fire Company, approved February 11th, 1839.

Which was read a first time,

And ordered to a second reading.

Mr. Wolfskill from the select committee to whom was referred the petition of Congreve J. Worden, praying for a divorce, reported a bill entitled,

An act to divorce Congreve J. Worden.

Which was read a first time, the rule suspended,

And read a second time, and ordered to be engrossed.

On motion of Mr. Welborn,

Mr. Fort was added to the committee on so much of the Governor's message as relates to the establishment of a lunatic asylum.

The bill entitled,

An act to repeal certain acts passed in 1843, to repeal certain laws regulating practice at law,

Was read a second time, and

Referred to the committee on revision.

The Senate bills entitled,

An act respecting seed horses, and

An act concerning insane persons,

Were severally read a third time and passed.

The following bills from the House of Representatives, were severally read a first time, and ordered to a second reading:

An act for the benefit of Abraham Brown.

An act respecting public administrators.

An act to authorize officers to call to their assistance the power of the county, and

Joint resolutions in relation to revised statutes.

The House bill entitled,

An act to incorporate the town of Platte City.

An act respecting seminary lands.

An act to incorporate the southern levying and draining company of Missouri.

And a memorial entitled,

A memorial to the Congress of the United States asking for the improvement of White river.

Were severally read a first time, the rules suspended,

Read a second time, the rules further suspended,

And read a third time and passed.

The House bill entitled,

An act to regulate actions on penal bonds,

Was read a first time, the rules suspended, and read a second time,

Mr. Campbell moved to amend as follows:

Strike out all after the word "assign" in the 4th line of the 1st section and insert, "the breach thereof."

Which was read and agreed to,

And the rule was suspended, and the bill as amended was read a third time, and passed.

The following bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act to authorize the county court of Osage county, to divide the county revenue for certain purposes.

Ordered to a third reading.

An act respecting the road and canal fund,

On motion of Mr. Rawlins,

Committed to a committee of the whole.

The House bill entitled,

An act concerning slaves,

Was read a first time, the rule suspended,

And read a second and third time.

Mr. Massey moved to amend by way of ryder as follows: "strike out the 3d section of the first article."

Which was read a first time,

Mr. Rawlins moved its rejection.

The question was pending on the rejection of the ryder, when

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *January* 16, 1845.

The Senate met pursuant to adjournment.

Mr. Acock, from the committee of ways and means, to whom was referred the bill entitled:

An act to provide for assessing the taxable property of this State, and for making lists of the same,

Reported it to the Senate and recommended its favorable consideration.

The report was agreed to,

And the bill ordered to be engrossed.

Mr. Snyder, from the select committee to whom was referred, the House bill entitled,

An act to establish a State road from John Warrens, in Jefferson county, to the town of Jackson, in Cape Girardeau county,

Reported it to the Senate, with amendments, and recommended its passage as amended.

The report was agreed to,

And the bill as amended, was read a third time and passed.

Mr. Ellis, from the joint committee appointed to examine into the condition of the State University, made a report. Also,

Reported a bill entitled,

An act to authorise the auditor to draw his warrant in favor of the curators of the State University.

Which was read a first time, the rule suspended, read a second time, and

On motion of Mr. Rawlins,

Referred to the committee of Ways and Means.

Mr. Boggs moved to refer the report to the committee on education, and that it be printed.

On motion of Mr. Hancock,

A division of the question was ordered.

The question on the reference of the report to the committee on education was decided in the affirmative.

The question on printing was also decided in the affirmative.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The following bills have been introduced into the House of Representatives:

An act for the relief of I. B. Grant, clerk of the Callaway county court.

An act to mark out a state road from Tippecanoe to Alexandria.

An act to declare certain rivers public highways.

An act supplementary to an act to incorporate the city of Warsaw, approved February 23, 1843.

An act to amend the several laws now in force for levying and assessing the revenue.

An act to authorize Robert A. Ewing and Robert R. Jeffersen, to erect a toll bridge across Moreau creek.

An act to collect demands against boats.

An act respecting steam boats.

An act amendatory of an act, approved January 16th, 1843, relative to courts and practice at law.

An act for the relief of Wharton H. Barton, sheriff of Linn county.

An act for the relief of Wm. Lawson, sheriff of Ripley county.

An act for the relief of John Sman.

An act concerning the estates of deceased persons.

An act to repeal an act to establish a state road from Jefferson City to the town of Hermann.

An act for the benefit of John Fawcett and others.

An act to provide for the payment of certain troops employed in the service of the State in 1836.

An act to establish a state road from Boonville to Georgetown.

An act for the relief of W. Z. Angney and others.

Joint resolutions amendatory of the constitution, restricting the term of judicial officers.

A memorial to Congress asking the improvement of the Neosho or Grand river of the Arkansas, and removal of restrictions on products conveyed through the Indian country.

The following bill has been introduced and rejected in the House of Representatives:

An act to regulate the fees of physicians in the State.

The following bills have passed the House of Representatives:

An act to remove the administration on the estate of the late Thomas Reynolds from Cole, to Platte county.

An act for the benefit of the estate of James Keyte, deceased.

The House of Representatives has concurred in the request of the Senate for a committee of conference, and Messrs. Wilson of Randolph, Strinfellow, Biggs, Hyatt and Hough, have been appointed to confer with the committee of the Senate.

The Speaker has signed the following enrolled bills:

An act to regulate fees in certain cases.

An act to render the election of clerks of certain courts uniform,

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

On motion of Mr. Fort,

The committee of the whole was discharged from the further consideration of the resolution from the House, entitled,

Joint resolution relating to the circulation of the branch bank at Fayette.

Mr. Calhoun, on leave, introduced a bill entitled,

An act to amend an act entitled an act to fix the times of holding circuit courts, approved February 24, 1843,

Which was read a first time, the rule suspended,

Read a second time, ordered to be engrossed and

Read a third time.

On motion of Mr. Rawlins,

The resolution from the House entitled,

Joint resolution in relation to the circulation of the Branch Bank at Fayette,

Was taken up and read a third time,

Mr. Rawlins moved to amend by way of ryder as follows:

Strike out the first resolution, and insert the following:

Resolved, That the President of the bank of the State of Missouri, and the directors of said bank on the part of the State, are hereby instructed to furnish to the branch of said bank at Fayette, sixty thousand dollars of circulation, in addition to the circulation now held by said branch.

Which was read a first time, on motion, the rule was suspended, read a second time, the rule further suspended, the ryder considered as engrossed, and read a third time.

On motion of Mr. Anderson,

The rule of the Senate ordering the ryder to a third reading was reconsidered

Mr. Anderson moved to amend the ryder as follows:

After the word "branch," where it last occurs, add the following:

"Provided the bank can do so, in conformity with the provisions of the charter."

Which was read a first time, and agreed to by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Maszey, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snell, Snyder, and Welborn—27.

Nays—None.

Absent, Messrs. Miller, Reese, Thompson and Wolfskill.

Absent with leave, Mr. Monroe.

On committee—Mr. Jones.

On motion, the ryder was ordered to be engrossed as amended.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act to incorporate the St. Vincent's Free School of St. Louis.

An act to incorporate the Orphans Home.

An act to divorce Congreve J. Worden.

An act to establish and regulate the Treasury Department, and

An act concerning arbitrations and references.

The Senate bill entitled,

An act to amend an act to incorporate the Boonville Fire Company, approved February 11, 1839,

Was read a second time, ordered to be engrossed, and read a third time tomorrow.

The House bill entitled,

An act to authorize the county court of Osage county to divide the county revenue for certain purposes,

Was read a third time and passed.

On motion of Mr. Fort,

The resolution from the House entitled,

Joint resolution relating to the circulation of the Branch Bank at Fayette,

Was taken up.

On motion of Mr. Miller,

The vote on the adoption of the amendment was reconsidered.

Mr. Lucas moved to amend the amendment as follows:

Add the following: "and provided further, that the mother Bank can do so without endangering the safety of the bank.

Which was read and agreed to by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Mills, O'Bryan, Shelton, Snell and Snyder—18.

Nays—Messrs. Acock, Fort, Massey, Miller, Netherton, Polk, Powers, Rawlins, Thompson, Welborn and Wolfskill—12.

Absent—Messrs. Calhoun and Reese.

Absent with leave—Mr. Monroe.

Absent, on committee, Mr. Jones.

Mr. Hancock moved to lay the resolution and amendment on the table until the 4th of July next.

Which was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Hudspeth, Lucas, Mills, O'Bryan, Polk, Shelton and Snell—15.

Nays—Messrs. Acock, Blythe, Detchemendy, Fort, Harris, Johnson, Massey, Miller, Netherton, Powers, Rawlins, Snyder, Thompson, Welborn and Wolfskill—15.

Absent, Mr. Reese.

Absent with leave, Mr. Monroe.

Absent, on committee, Mr. Jones.

The Senate being equally divided, the President gave the casting vote in the negative, and,

On motion of Mr. Fort,

The resolution and amendment were laid on the table.

The following bills from the House of Representatives, were severally read a

second time, and ordered to a third reading to-morrow:

An act respecting public administrators.

An act for the benefit of Abraham Brown.

An act authorizing officers to call to their assistance the power of the county.

Also, a joint resolution from the House entitled,

Joint resolution in relation to the revised statutes.

The following bills were severally read a third time and passed.

An act to establish and regulate the treasury department.

An act concerning arbitrations and references.

An act to incorporate the orphan's home.

Mr. Rawlins moved to postpone indefinitely, the Senate bill entitled,

An act to establish a fifth branch of the bank of the State of Missouri.

Which was determined in the negative by the following vote:

Yeas.—Messrs. Hudspeth, Polk, Powers, Rawlins, Shelton and Thompson—6.

Nays.—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Johnson, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Snell, Snyder, Welborn and Wolfskill—23.

Absent—Messrs. Detchemendy, and Reese.

Absent with leave, Mr. Monroe.

On committee—Mr. Jones.

And on motion of Mr. Boggs, the bill was laid on the table until Monday next.

The bill entitled,

An act to incorporate the St. Vincent Free School, of St. Louis,

Was read a third time and passed, by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Rawlins, Snell, Welborn and Wolfskill—24.

Nays.—Messrs. Fort, Hancock, Powers, Shelton and Snyder.—4.

Absent—Messrs. Reese and Thompson.

Absent, with leave, Mr. Monroe.

On committee, Mr. Jones.

The amendment offered by Mr. Massey on Tuesday, the 14th instant, to the House bill entitled:

An act concerning slaves,

Being under consideration,

Mr. Fort moved to adjourn until to-morrow morning at 9 o'clock.

Which was determined in the negative by the following vote:

Yeas.—Messrs. Campbell, Fort, Gentry, Hudspeth, Lucas, Miller, Netherton, Powers, Shelton and Thompson—10.

Nays.—Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Hancock, Harper, Harris, Johnson, Massey, Mills, O'Bryan, Polk, Rawlins, Snell, Snyder, Welborn and Wolfskill—20.

Absent, Mr. Reese.

With leave, Mr. Monroe.

On committee, Mr. Jones.

Mr. Fort then moved to adjourn until to-morrow morning at ten o'clock,
Which was decided in the negative by the following vote:

Yeas.—Messrs. Campbell, Fort, Gentry, Hudspeth, Miller, Netherton, Polk, Powers, Shelton and Wolfskill—10.

Nays.—Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Hancock, Harper, Harris, Johnson, Lucas, Massey, Mills. O'Bryan, Rawlins, Snell, Snyder, Thompson and Welborn—20.

Absent, Mr. Reese.

With leave, Mr. Monroe.

On committee, Mr. Jones.

On motion, the Senate adjourned till 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Massey,

A call of the House was ordered.

The roll being called,

Messrs. Acock, Blythe, Boggs, Calhoun, Fort, Gentry, Hancock, Harper, Harris, Johnson, Lucas, Massey, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—23,

Severally answered to their names.

Absent—Messrs. Anderson, Campbell, Detchemendy, Ellis, Hudspeth, Miller, Mills and Netherton.

Absent with leave—Mr. Monroe.

On committee—Mr. Jones.

The door-keeper was dispatched to notify the absentees, and

On motion of Mr. Fort,

All further proceedings under the call were dispensed with.

Mr. Polk moved to adjourn,

Which was negatived.

The question on the rejection of the ryder offered by Mr. Massey, to the House bill entitled,

An act concerning slaves,

Was decided in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Harper, Harris, Lucas, Miller, Mills, Rawlins, Reese, Shelton, Welborn and Wolfskill—15.

Nays.—Messrs. Anderson, Blythe, Ellis, Fort, Gentry, Hancock, Hudspeth, Johnson, Massey, Netherton, O'Bryan, Powers, Snell, Snyder and Thompson—15.

The Senate being equally divided, the President gave the casting vote in the affirmative.

Absent—Mr. Polk.

Absent with leave—Mr. Monroe.

On committee, Mr. Jones.

Mr. Massey moved to amend the bill by way of ryder as follows:

Add at the end of the 4th section the following: "Nor to any citizen of this State who shall hire a slave or slaves for his own use, and not to hire to others."

Which was read a first time.

Mr. Acock moved to reject it, and the question on the rejection of the ryder was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Harper, Harris, Lucas, Mills, Rawlins, Reese, Shelton, Welborn and Wolfskill—14.

Nays.—Messrs. Anderson, Blythe, Ellis, Fort, Gentry, Hancock, Hudspeth, Johnson, Massey, Miller, Netherton, O'Bryan, Powers, Snell, Snyder and Thompson—16.

Absent, Mr. Polk.

Absent with leave—Mr. Monroe.

On committee—Mr. Jones.

Mr. Massey moved to suspend the rules, and that the ryder be read a second time now.

Which was negatived, and

On motion of Mr. Thompson,

The bill was laid on the table.

The memorial from the House entitled,

Memorial to the Congress of the United States relative to the admission of the State of Iowa,

Which was read a third time, and

On motion of Mr. Fort,

Its further consideration was postponed, and it was made the special order of the day for Monday next.

Mr. Campbell, from the select committee to whom was referred the petitions of James S. Henning, and the citizens of St. Francisville, reported bills entitled,

An act to vacate a part of Water street in Wayland's addition to the town of St. Francisville in Clark county, and

An act to vacate Peak's and Hennings' addition to the town of St. Francisville in the county of Clark.

Which were severally read a first time,

The rules suspended, read a second time,

And ordered to be engrossed and read a third time to-morrow.

Mr. Welborn, from the committee on education, to whom was referred a bill entitled,

An act supplementary to an act to provide for the organization, support and government of common schools, approved Feb. 9th, 1839,

Reported the same to the Senate and recommended its passage.

The report was read and agreed to, and the bill read a third time.

Mr. Campbell moved to amend by way of ryder as follows:

Add the following as an additional section, "Section 5. This act to take effect from and after its passage.

Which was read a first time, the rule suspended,

Read a second time, considered as engrossed,

The rule further suspended, and read a third time, when

The bill as amended passed.

Mr. Thompson submitted the following:

Resolved, That ——— copies of the Governor's Veto Message on the Northern Boundary, be ordered to be printed.

On his further motion the blank in said resolution was filled with "three hundred."

The question then recurred on the adoption of the resolution, and was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Detchemendy, Ellis, Gentry, Hancock, Johnson, Lucas, Miller, O'Bryan, Polk, Powers, Reese, Shelton, Snell, Thompson, Welborn and Wolfskill—17.

Nays—Messrs. Acock, Blythe, Boggs, Campbell, Calhoun, Fort, Harper, Harris, Hudspeth, Massey, Mills, Netherton, Rawlins and Snyder—14.

Absent with leave—Mr. Monroe.

On committee—Mr. Jones.

Mr. Massey asked to be excused from voting on the adoption of the above resolution, which was negatived.

Mr. Ellis submitted the following resolution:

Resolved, That the President of the Senate is hereby requested to invite President Lathrop to deliver an address on some educational subject in the Senate chamber, at such time as may suit his convenience.

Which was adopted by the following vote, the yeas and nays being called for and ordered:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Hudspeth, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan, Polk, Reese, Shelton, Snell, Thompson, Welborn, and Wolfskill—24.

Nays—Messrs. Fort, Hancock, Harper, Massey, Powers, Rawlins and Snyder—7.

Absent with leave, Mr. Monroe.

On committee, Mr. Jones.

Thereupon, on motion,

The Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *January* 17, 1845.

The Senate met pursuant to adjournment.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, January 14, 1845. }

To the Hon. the Senate:

Gentlemen—I have this day approved and signed bills of the following titles, to-wit;

An act to change the name of Matilda T. C. Woolfolk.

An act to authorize the county court of Madison county to use certain paper.

An act to change a certain portion of a state road.

An act for the relief of B. J. Brown, late collector of Ray county.

An act for the relief of the collectors of the revenue.

An act to authorize the sale of the real estate belonging to the minor heirs of Sarah M. Brooks.

An act to repeal an act respecting the 14th judicial circuit.

An act entitled an act to authorize the appointment of a law commissioner for the county of St. Louis.

A memorial to Congress relative to the improvement of the great swamp in the south-eastern portion of this State.

Very respectfully,

Your ob't serv't,

JOHN C. EDWARDS.

Mr. Acock, from the committee of ways and means, to whom was referred the bill for the benefit of John Harbison, collector of Scott county, reported a substitute for the same, entitled,

An act for the relief of John Harbison.

The report and substitute were read and agreed to,

And the substitute was ordered to be engrossed and read a third time to-morrow.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act to amend an act to incorporate the Boonville Fire Company, approved February 11th, 1839.

An act to vacate Peake's and Hennings addition to the town of St. Francisville, in the county of Clark.

An act to vacate a part of Water street, in Wayland's addition to the town of St. Francisville, in Clark county.

An act to amend an act entitled an act to fix the time of holding circuit courts, approved, Feb. 24, 1843.

An act to provide for assessing the taxable property of this State, and for making lists of the same.

Mr. Thompson, from the select committee to whom was referred the bill entitled,

An act to provide for the selection and sale of lands granted to this State by an act of Congress approved September 4th, 1841, approved February 27th, 1843,

Reported it to the Senate with an amendment, and recommended the passage of the bill as amended.

The report and amendment were read and agreed to.

Mr. Fort moved to refer the bill to a committee of the whole;

Which was decided in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Boggs, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Miller, Mills, Netherton, O'Bryan, Powers, Shelton, Snell, Snyder and Wolfskill—19.

Nays.—Messrs. Blythe, Hudspeth, Johnson, Massey, Polk, Rawlins, Reese, Thompson and Welborn—9.

Absent—Messrs. Campbell, Detchemendy and Lucas.

With leave—Mr. Monroe.

On committee—Mr. Jones.

Mr. Thompson, also, from the select committee to whom was referred the bill entitled,

An act to establish a State road from Weston, in Platte county, to St. Josephs, in Buchanan county,

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendment were read and agreed to;
And the bill as amended was read a third time and passed.

Mr. Snell, on leave, introduced a bill entitled,
An act for the relief of J. D. N. Thompson and William Huston,
Which was read a first time, the rule suspended, read a second time, and
Referred to the committee on claims.

Message from the House of Representatives by Mr. Gilpin, their clerk.

MR. PRESIDENT:—

The following bills have passed the House of Representatives:

An act to extend the corporate limits of the town of Columbia, in Boone county, and for other purposes.

An act to establish the boundary line between Franklin and Jefferson counties.

An act to view and mark out a State road from Donahoe's lane, in Boone county, to Parsons', in Cooper county.

A bill entitled,

An act to provide for assessing the taxable property of this State, and for making lists of the same,

Was read a third time.

Mr. Acock moved to amend by way of ryder as follows:

In the enforcing clause strike out the word "May," and insert the word "January," in lieu thereof.

Which was read a first time, the rule suspended, read a second time, considered as engrossed and read a third time.

Mr. Hancock moved to amend by way of ryder as follows:

Strike out the word "six," in the 21st section, and insert the word "two."

Which was read a first time and rejected.

On motion of Mr. Fort,

The vote on ordering Mr. Acock's ryder to a third reading was reconsidered.

The question was then taken on ordering the ryder to a third reading, and decided in the negative.

Mr. Massey moved to amend by way of ryder as follows:

Strike out the enforcing clause of the bill;

Which was read a first time, and

On motion of Mr. Snyder,

The bill and ryder were committed to a committee of the whole.

The bill entitled.

An act to divorce Congreve J. Worden,

Was read a third time.

Mr. Lucas moved to amend by way of ryder as follows:

Strike out all after the enacting clause, and insert the following:

§ 1. That any pretended contract of marriage between Congreve J. Worden, of Howard county, and Elizabeth Crockett, of Chariton county, before John C. Kavanaugh, a justice of the county court of Chariton county, and justice of the peace in said county, and every record made thereof, in the recorder's office of said county, is hereby declared null and void, and the parties are released from all obligations and liabilities arising therefrom, and the rights of either party shall in nowise be affected thereby; and they shall possess all the rights and privileges of sole and single persons, in all respects whatsoever. It appearing satisfactory to this Legislature that the consent of the parties was not intentionally and voluntarily given to such pretended contract, and it has not been succeeded by those relations which exist between husband and wife.

§ 2. This act shall be in force from and after its passage.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when,

On motion of Mr. Lucas,

The title of the bill was changed to the following:

An act concerning Congreve J. Worden, and Elizabeth Crockett.

And the bill as amended passed.

The President presented a communication from the Secretary of State, in relation to the sales of the Decisions of the Supreme Court, and Territorial laws.

Which, with the accompanying documents, were read.

On motion, the Senate adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, *January 18, 1845.*

The Senate met pursuant to adjournment.

Mr Lucas presented the petition of Robert and Archibald E. Orme, praying the Legislature to pass an act authorizing the administrators of the estate of James B. Orme, to distribute the slaves of Ann Orme, in said estate, among the brothers and sisters and their descendants, of said Ann Orme, in equal portions.

Which was read and referred to a select committee consisting of Messrs. Lucas, Anderson and Snell.

Mr. Campbell presented the petition of the members of the First Presbyterian Church of Hannibal, in Marion county, praying an act of incorporation.

Which was read and referred to a select committee consisting of Messrs. Campbell, Mills and Fort.

Mr. Acock, from the joint committee of conference appointed to take into consideration the disagreement of the two Houses on the Senate's amendment to the House bill entitled,

An act to repeal an act to provide for the sale of land for the taxes, approved Feb. 27, 1843,

Reported that the committee had conferred, and agreed to the following amendment in lieu of the one disagreed to.

Strike out the first amendment of the Senate and the amendment of the House thereto, and insert the following:

Provided, that all taxes due upon land and town lots for the year 1842, or any preceding year, and which were required by the provisions of said act to be collected in the year eighteen hundred and forty-four, shall be collected and accounted for as if this act had not passed, and that lands or town lots returned unsold shall not, under the provisions of said act be certified out for sale, and.

The report and amendments were read and agreed to.

Mr. Polk, on leave, introduced a resolution entitled,

Joint resolution authorising the treasurer to receive Missouri's portion of the money donated by act of Congress, approved Sept. 4th, 1841.

Which was read a first time, and ordered to a second reading.

On motion of Mr. Shelton,

The Senate resolved itself into a committee of the Whole, in order to take up the resolution from the House entitled,

Joint resolution in relation to the public printing,

Mr. Anderson in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration the resolution from the House entitled, Joint resolution in relation to the public printing;

Had amended the same, agreed to it as amended, and instructed him to report it to the Senate for its further action thereon.

The report and amendments were agreed to, and the resolution as amended was read a third time, and passed by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Lucas, Massey, Mills, Netherton, O'Bryan, Rawlins, Shelton, Snell and Snyder—20.

Nays—Messrs. Acock, Blythe, Hancock, Johnson, Polk, Powers, Thompson, Welborn and Wolfskill—9.

Absent, Messrs. Miller and Reese.

With leave, Mr. Monroe.

On committee, Mr. Jones.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act authorizing C. Waldo to build a dam on Sac river.

An act to incorporate the town of Louisiana.

An act declaring Chariton river a public highway.

An act to incorporate the Savannah Lyceum.

An act to survey and mark out the boundary line between the counties of Taney and Decatur.

Joint resolution in favor of Jerusha Lisle.

The House of Representatives has indefinitely postponed the House bill entitled,

An act for the relief of James Machette of the county of St. Charles.

The following bill has been introduced into the House of Representatives:

An act to appropriate money for the State University, and for other purposes.

Mr. Massey, on leave, introduced the following joint resolutions:

Resolved by the General Assembly of the State of Missouri,

That the following be proposed as amendments to the Constitution:

First: That so much of the 12th section of the 4th article as provides that the Auditor of Public Accounts shall be appointed by the Governor, by and with the advice and consent of the Senate, shall be abolished from and after the 1st day of January, 1849.

Second: That so much of the 21st section of the 4th article, as provides that the Governor, by and with the advice and consent of the Senate, shall appoint a Secretary of State, shall be abolished from and after the 1st day of January, 1849.

Third: An Auditor of Public Accounts and a Secretary of State, shall be elected by the qualified electors at the time and places of voting for Governor and Lieutenant Governor, in 1848, who shall hold their offices for four years, and until their successors are duly elected and qualified.

Fourth: The Auditor of Public Accounts and Secretary of State, shall be at least thirty years of age, and shall have been a resident of this State at least four years next preceding their election, and they shall be ineligible for the next four years after the expiration of their terms of service.

Which were read a first time, and ordered to a second reading.

On motion of Mr. Hancock,

An act to survey and mark out the boundary line between the counties of Taney and Decatur,

Was taken up, read a first time, the rule suspended, read a second and third time, and passed.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed a bill entitled,

An act for the benefit of John Harbeson.

The following bills were severally read a third time and passed.

An act to amend an act to incorporate the Boonville Fire company, approved Feb. 11th, 1839.

An act to vacate a part of Water street in Wayland's addition to the town of St. Francisville, in Clark county.

An act to amend an act entitled an act to fix the time of holding circuit courts approved Feb. 24th, 1843.

An act to vacate Peake's and Hennings' addition to the town of St. Francisville, in the county of Clark.

An act concerning descents and distributions.

An act for the benefit of John Harbison, and

The House bill entitled,

An act for the benefit of Abraham Brown, and

Joint resolution in relation to the revised Statutes, from the House,

Were severally read a third time and passed.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The House bill entitled,

An act respecting public administrators,

Was read a third time.

Mr. Rawlins moved to amend by way of ryder, to come in as an additional section, as follows:

Sec. 22. For selling property belonging to deceased persons, "under this act, the auctioneer shall be allowed one dollar per day for his services and no more.

Which was read a first time, the rule suspended,

And read a second time.

The question on ordering the ryder to a third reading was decided in the negative by the following vote:

Yeas—Messrs. Acock, Blythe, Calhoun, Gentry, Hancock, Hudspeth, Johnson, O'Bryan, Polk, Rawlins, Snell, Snyder, Thompson and Wolfskill—14.

Nays—Messrs. Boggs, Campbell, Fort, Harper, Harris, Lucas, Massey, Miller, Mills, Netherton, Powers, Reese, Shelton and Welborn—14.

Absent—Messrs. Anderson, Detchemendy and Ellis.

With leave Mr. Monroe.

On committee—Mr. Jones.

The Senate being equally divided, the President gave the casting vote in the negative.

The question then recurred on the passage of the bill and was determined in the affirmative.

Mr. Shelton offered the following:

Whereas, it is represented to this Senate that their door-keeper is at present

lodging in the public highways of the capitol, and forced to change even that location by the perversity of the winds in blowing different ways: and whereas, the Senate is of the opinion that the exposed situation of this officer, is calculated to endanger his health—a contingency which the Senate is not disposed to view with indifference, therefore,

Be it resolved, by the Senate, That the extreme south room on the west side of the passage in the lower story of the capitol, be set apart for his use.

Which was adopted mem. con.

Mr. Shelton moved that the Senate adjourn until Monday morning at 9 o'clock.

Which was decided affirmatively by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Campbell Calhoun, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan, Powers, Reese, Shelton, Snell, Snyder, Thompson and Welborn—23.

Nays—Messrs. Acock, Hancock, Massey, Polk, Rawlins and Wolfskill—6.

Absent—Messrs. Detchemendy and Ellis.

With leave—Mr. Monroe.

On committee—Mr. Jones.

So the Senate adjourned.

MONDAY MORNING, Jan. 20, 1845.

The Senate met pursuant to adjournment.

Mr. Reese from the joint committee on revision, reported without amendment bills entitled,

An act to encourage the destruction of wolves.

An act to establish a court of common pleas in the county of St. Louis.

An act providing for the change of venue in civil cases.

An act concerning bills of exchange and negotiable promissory notes, and

An act to regulate groceries and dram shops—with amendments.

The report and amendments were read and agreed to, and the accompanying bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act to encourage the destruction of wolves.

An act to provide for the change of venue in civil cases.

An act to regulate groceries and dram shops, and

An act concerning bills of exchange and negotiable promissory notes,

Severally committed to a committee of the whole.

The two latter bills were further ordered to be printed.

The following was, on a suspension of the rules, read a third time and passed.

An act to establish a court of common pleas in the county of St. Louis.

Mr Rawlins, from the committee on enrolled bills, reported as truly enrolled,

A memorial to the Congress of the United States in relation to the speedy occupation of the Oregon territory.

Mr. Welborn, on leave, introduced a bill entitled,

An act to lay off the State into Congressional districts.

Which was read a first time, the rule suspended,

And read a second time, and

On motion of Mr. Boggs,

Referred to the committee on so much of the Governor's message as relates to laying off the State into Congressional districts.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act to regulate marks and brands.

An act for the relief of J. T. Quisenbury.

An act to authorize the county court of St. Louis county to appoint an assessor for the city of St. Louis.

An act for the relief of John A. Dougherty and others.

An act allowing fees to clerks in certain cases.

An act for the relief of the collector of Scott county.

An act for the relief of certain purchasers of saline lands.

An act for the relief of Ferdinand Kennett.

An act to change the time of holding county courts in Scott county.

The House has rejected the following bills:

An act to authorize Harvey P. Gaines to peddle without license.

An act for the relief of Lafayette Thomason.

An act for the relief of Joshua Puckett and Rebecca his wife.

The Speaker has signed the following enrolled bills:

An act for the relief of Nathaniel Harmon.

An act amendatory of an act to provide for the selection and sale of the lands granted to this State by an act of Congress approved September 4, 1841, approved February 27, 1843.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

Mr. Snyder, on leave, introduced a bill entitled,

An act amendatory of an act entitled an act to concentrate the Supreme Court.

Which was read a first time and ordered to a second reading.

Mr. Hudspeth, on leave, introduced a bill entitled,

An act to abolish imprisonment for debt,

Which was read a first time, the rules suspended,

Read a second time, and

On motion of Mr. Blythe,

Referred to the committee on revision by the following vote:

Yeas—Messrs. Acock, Blythe, Campbell, Calhoun, Fort, Gentry, Hancock, Harper, Harris, Johnson, Lucas, Massey, Mills, O'Bryan, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—22.

Nays—Messrs. Anderson, Boggs, Detchemendy, Ellis, Hudspeth, Netherton, Polk and Thompson.

Absent, Mr. Miller.

Absent with leave—Mr. Monroe.

On committee—Mr. Jones.

On motion of Mr. Rawlins,

The House bill entitled,

An act for the relief of J. T. Quisenbury,

Was taken up,

Read a first time, the rules suspended,

Read a second and third time and passed.

Joint resolution authorizing the Treasurer to receive Missouri's portion of the money donated by act of Congress of 4th September, 1841, and,

Joint resolutions proposing amendments to the constitution of the State of Missouri, in relation to the election by the people of the Secretary of State and the Auditor of Public Accounts,

Were severally read a second time and committed to a committee of the whole.

The following House bill was read a third time and passed,

An act authorizing officers to call to their assistance the power of the county.

The memorial from the House entitled,

Memorial to Congress relative to the admission of the State of Iowa,

Was read a third time and passed.

The following House bills were severally read a first time, the rules suspended, and read a second and third time and passed.

An act concerning marriage contracts.

An act to prevent the firing of woods, marshes and prairies.

An act for the benefit of the estate of James Keyte, deceased.

An act to incorporate the Savannah Lyceum.

An act authorising C. Waldo to build a dam on Sac river.

Also, a resolution entitled,

Joint resolution in favor of Jerusha Lisle.

The following House bills were severally read a first time, and ordered to a second reading:

An act to establish the boundary line between Franklin and Decatur counties.

An act declaring Chariton river a public highway.

An act to incorporate the town of Louisiana.

An act to regulate marks and brands.

An act for the relief of John A. Dougherty and others.

The following were severally read a first time, the rules suspended, read a second time, and ordered to a third reading on to-morrow.

An act to remove the administration on the estate of the late Thomas Reynolds from Cole, to Platte county.

An act to extend the corporate limits of the town of Columbia, in Boone county, and for other purposes.

The following was read a first time, the rule suspended, read a second time, and referred to a select committee consisting of Messrs. Harris, Rawlins and Snell.

An act to view and mark out a State road from Donahoe's lane, in Boone county, to Parsons' in Cooper county.

On motion, the Senate adjourned, until to-morrow morning at 10 o'clock.

TUESDAY MORNING, *January 21, 1844.*

The Senate met pursuant to adjournment.

Mr. O'Bryan presented the petition of sundry citizens of Boone and Cooper counties in relation to the establishment of a state road.

Which was referred to the committee to whom was referred on yesterday the House bill entitled:

An act to view and mark out a state road from Donahoe's lane, in Boone county, to Parson's in Cooper county.

On motion of Mr. Harris,

Mr. O'Bryan was added to said committee.

Mr. Hudspeth, from the committee on elections, to whom was referred back

the papers in the contested election from the 21st Senatorial district, by resolution of the Senate, adopted December 18th, 1844, made the following report:

The committee find the number of contested votes on the side of O'Bryan, considered good, to be ten. The committee find the number of contested votes on the side of Miller, and considered good, to be eighteen.

The names of the voters on the side of O'Bryan, and considered illegal by the committee, are as follows: John W. Dunn, D. C. Pixotto, Silvester Baldwin, Ambrose Walton, Benjamin Puckett, John G. Scott, John Smith, Harman Bailey, John Shaw, Hugh Farrie, Charles A. Jones, Hiram Wilber, D. C. Foster, Jerry Yarnall, James Poindexter, and James Dixon, making in all sixteen names.

The votes on the side of John Miller, and considered illegal, are named as follows: And. Reed, Hugh Cavour, John McDuffee, Lott Howard, John G. Gregory, Martin Calvert, W. E. Harris, Thomas Doran, G. W. Barkley, Lewis Eager, James McAlister, Thomas Drinkwater, J. N. Bailey and Mathew Rankin, in all fourteen.

All the votes rejected by the committee on the side of O'Bryan, was on the ground of illegality.

All the votes rejected on the part of Miller, were on the ground of illegality, except Lewis Eager, rejected for informality. The informality of this vote consisted in the judges of the election sending the clerks to Mr. Eager's house to take his vote—Mr. Eager being sick at the time.

Your committee, after a long and patient investigation heretofore, and upon further examination, of the whole matter, can arrive at no other conclusion than that expressed by them in their report, made on the 13th of December last, which report is herewith returned.

Your committee are of opinion that Jordan O'Bryan is entitled to his seat by a majority of three votes. As respects the information asked for in the resolution, concerning the notices, &c., the committee would refer the Senate to the papers marked 1 and 2.

All of which is respectfully submitted, and the committee would again ask to be discharged from the further consideration of the subject.

The report was read and passed over for the present.

Mr. Hancock, from the committee on claims, to whom was referred a bill entitled:

An act for the relief of J. D. N. Thompson and Wm. Huston,

Reported it to the Senate with an amendment,

The report and amendment were agreed to, and

The accompanying bill as amended was read a third time and passed.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The following bills have passed the House of Representatives:

An act for the relief of George B. Talson.

An act to incorporate the Missouri Institute of Sciences.

An act regulating ferries.

An act concerning bonds and notes.

An act concerning securities.

An act to repeal the 13th section of an act to incorporate the St. Louis and St. Charles turnpike road.

An act to authorize the Secretary of State to purchase certain maps for the use of the officers of state.

An act to establish free ferries across Salt river.

An act to establish a state road from Boonville to Georgetown.

Join resolution in favor of R. Kerr.

The Speaker has signed the enrolled memorial entitled:
Memorial to Congress in relation to the occupation of Oregon territory.
Whereupon the President signed the memorial aforesaid.

Mr. Polk offered the following:

Resolved, That Mr. John Miller, who contests the seat of Mr. O'Bryan, in the Senate, be admitted within the bar of the Senate with his counsel, and that Mr. O'Bryan have the same privilege, and that each shall be heard by themselves or counsel.

Which was adopted by the following vote:

Yeas—Messrs. Acock, Blythe, Boggs, Ellis, Fort, Hancock, Johnson, Miller, Polk, Powers, Rawlins, Shelton Snyder, Thompson and Welborn—15.

Nays.—Messrs. Anderson, Campbell, Calhoun, Detchemendy, Gentry, Harper, Harris, Hudspeth, Lucas, Massey, Mills, Netherton and Snell—13.

Absent, Messrs. Reese and Wolfskill.

With leave, Mr. Monroe.

On committee, Mr. Jones.

Excused from voting, Mr. O'Bryan.

Mr. Massey asked to be excused from voting on the above resolution, which was refused.

Mr. Hudspeth also asked to be excused from voting, which was refused.

Mr. Hancock, on leave, introduced a bill entitled:

An act to authorize the Secretary of State to employ a special messenger to carry the writ of election to Decatur county.

Which was read a first time, the rule suspended,

And read a second time, the rule further suspended,

And read a third time, and passed by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—26.

Nays.—Messrs. Lucas, Mills and Rawlins.—3.

Absent—Messrs. Gentry and Reese.

Absent with leave, Mr. Monroe.

On committee—Mr. Jones.

Mr. Fort, on leave, introduced a bill entitled,

An act relative to the decisions of the Supreme court.

Which was read a first time, the rules suspended,

Read a second time, and

Ordered to be engrossed and read a third time to-morrow.

Mr. Fort also introduced a joint resolution entitled:

Joint resolution to authorize the Governor to contract with G. C. Bingham to paint a historical picture.

Which was read a first time, and ordered to a second reading.

The bill entitled,

An act amendatory of an act entitled an act to concentrate the Supreme court,

Was read a second time.

Mr. Massey offered the following substitute:

An act to divide the State into judicial districts, and to prescribe the times and places of holding the Supreme court.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Sec. 1. The State of Missouri is hereby divided into five judicial districts, in each of which there shall be held two sessions of the Supreme court annually.

Sec. 2. The first judicial district shall be composed of the counties of Howard, Randolph, Boone, Callaway, Audrain, Ralls, Pike, Montgomery, Warren, Lincoln, Marion, Monroe, Shelby, Clark, Scotland and Lewis.

Sec. 3. The second judicial district shall be composed of the counties of Clay, Ray, Carroll Caldwell, Davies, Grundy, Livingston, Linn, Adair, Macon, Chariton, Holt, Andrew, Buchanan, Clinton, Platte, Jackson and Lafayette.

Sec. 4. The third judicial district shall be composed of the counties of Osage, Cooper, Morgan, Saline, Miller, Cole, Van Buren, Bates, Johnson, Henry, Camden, Dallas, Polk, St. Clair, Pettis, Benton, Dade, Jasper, Newton, Greene and Taney.

Sec. 5. The fourth judicial district shall be composed of the counties of Gasconade, Washington, Franklin, St. Francois, St. Genevieve, Scott, New Madrid, Perry, Madison, Wayne, Stoddard, Cape Girardeau, Wright, Pulaski, Crawford, Shannon, Ripley and Decatur.

Sec. 6. The fifth judicial district shall be composed of the counties of St. Louis, Jefferson and St. Charles.

Sec. 7. The Supreme court for the first judicial district shall be held in the town of _____ in _____ county, commencing on the _____

And for the second judicial district in the town of _____ in _____ county, commencing on _____

And for the third judicial district in the town of _____ in _____ county, commencing on the _____

And for the fourth judicial district in the town of _____ in _____ county, commencing on the _____

And the fifth judicial district in the city of St. Louis, commencing on the _____

Sec. 8. The clerks of the circuit courts of _____ counties, and St. Louis shall be ex-officio clerks of the Supreme court in their respective districts.

Sec. 9. It shall be the duty of the clerk of the supreme court, as now established, to transmit to the different circuit court clerks, mentioned in the preceding section, all the papers, proceedings and records now in his possession, relating to the supreme court, in cases which have been decided in any of the circuits composing the different districts, as defined by this act, on or before the first day of April next.

Sec. 10. It shall be the duty of the clerk of the supreme court for each district, to docket all the causes for trial, setting not more than five for each day, and a copy of the docket shall be published by the different clerks twenty days before the commencement of each term, in some newspaper, published at the place of holding court, or if there should be no paper published at the place, then in the nearest newspaper thereto.

Sec. 11. The laws applicable to clerks of circuit courts shall apply, as far as may be, to the clerks of the supreme court.

Sec. 12. Assignments of error and briefs shall not be required to be filed in any cause before the first day in which causes from the same circuit are set for hearing; and the rules of the supreme court shall be so framed that attorneys may be able to attend to their causes with the least possible delay.

Sec. 13. All acts and parts of acts inconsistent with or repugnant to the provisions of this act are hereby repealed.

This act to take effect from and after its passage.

Which was read, and

On motion, the bill and substitute
Were referred to a committee of the whole.

The following House bills were severally read a second time, and ordered to a third reading.

An act to incorporate the town of Louisiana.

An act to establish a boundary line between Franklin and Jefferson counties.

The following were severally read a second time, and disposed of as follows:

An act to regulate marks and brands,

Committed to a committee of the whole.

An act for the relief of John A. Dougherty and others,

Referred to the committee on claims.

The House bill entitled,

An act declaring Chariton river a public highway,

Was read a second time.

Mr. Fort moved to amend as follows:

Add the following at the end of the bill:

Provided however, that this act shall not be so construed as to affect the right of any person or persons, who now have or may hereafter have, a grist mill or other machinery constructed on said river.

The amendment was read and agreed to.

And the bill ordered to a third reading.

The bill entitled,

An act to establish a fifth branch of the bank of the State of Missouri,

Was read a third time.

On motion of Mr. Snell,

A call of the House was ordered.

The roll being called,

Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton Snell Snyder, Thompson, Welborn and Wolfskill—30,

Severally answered to their names.

Absent—Mr. Reese.

Absent, with leave, Mr. Monroe.

On committee, Mr. Jones.

Whereupon the sergeant at arms was despatched to notify Mr. Reese.

On motion of Mr. Ellis,

The Senate took a recess for a few minutes, and re-assembled at the call of the President.

By direction of the President the roll was again called,

And all the Senators found to be present, with the exception of Mr. Monroe, absent with leave, and Mr. Jones, on committee.

On motion of Mr. Shelton,

All further proceedings under the call were dispensed with.

Mr. Detchemendy moved to adjourn.

Which was negatived.

Mr. Acock moved to fill the blank in the bill entitled,

An act to establish a fifth branch of the bank of the State of Missouri,

With the words "Clinton, in Henry county."

Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Calhoun, Hancock, Hudspeth, Massey, Miller, Powers,

Rawlins, Snyder and Welborn—10.

Nays—Messrs. Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Johnson, Lucas, Mills, Netherton, O'Bryan, Polk, Reese, Shelton, Snell, Thompson and Wolfskill—21.

Absent with leave—Mr. Monroe.

On committee—Mr. Jones.

Mr. Ellis moved to fill the blank in the bill with the words "Plattsburgh, in Chariton county,

Which was negatived.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, the enrolled memorial entitled,

A memorial to the Congress of the United States in relation to the speedy occupation of the Oregon Territory.

Mr. Lucas moved to fill the blank in the bill aforesaid, with the words "Lexington in Lafayette county."

The question was pending on the motion, when,

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Fort,

Mr. O'Bryan was permitted to use the papers in the case of the contested election from the 21st Senatorial district.

Mr. Boggs moved a call of the House,

Which was ordered.

The roll being called, the number of Senators answering to their names was—30.

Absent, Mr. Miller.

With leave, Mr. Monroe.

On committee, Mr. Jones.

Mr. Miller having appeared, all further proceedings under the call were dispensed with.

The question on filling the blank in the bill entitled,

An act to establish a fifth branch of the Bank of the State of Missouri,

With the words "Lexington, in Lafayette county," being under consideration, the same was decided in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Hudspeth, Lucas, Mills, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snell and Wolfskill—19.

Nays—Messrs. Blythe, Boggs, Fort, Hancock, Harper, Johnson, Massey, Miller, Rawlins, Snyder, Thompson and Welborn—12.

Absent with leave—Mr. Monroe.

On committee, Mr. Jones.

The question then recurred on the passage of the bill and
Was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Johnson, Massey, Miller, Mills, Netherton, O'Bryan, Reese, Snell, Welborn and Wolfskill—23.

Nays—Messrs. Hudspeth, Lucas, Polk, Powers, Rawlins, Shelton, Snyder and Thompson—8.

Absent with leave, Mr. Monroe.
On committee, Mr. Jones.

Message from the House of Representatives, by Mr. Huston, assistant clerk.

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act to authorize the Secretary of State to employ a special messenger to carry the writ of election to Decatur county.

The House bill entitled,

An act to authorize the administration on the estate of the late Thomas Reynolds from Cole to Platte county,

Was read a third time and passed.

The House bill entitled,

An act to extend the corporate limits of the town of Columbia, in Boone county, and for other purposes.

Was read a third time.

Mr. Fort moved to amend by way of ryder as follows:

Strike out the proviso in the first section and insert,

"Provided that the trustees of the said incorporation shall not assess any tax upon the person or property of any person residing on, or owning property within the limit of that portion of the attached territory, to the former incorporation until all debts contracted for before the passage of this act are *bona fide* and fully paid and discharged, until which time no rights shall be exercised by the persons hereto added to the incorporation.

Which was read, and objections being made, was rejected.

Mr. Fort moved to amend by way of ryder as follows:

In lieu of the 1st proviso insert,

Provided, however, that no taxation shall be made by the trustees upon the persons and property of those hereby annexed to the said incorporation, except for other and different purposes (and then to the equivalent amount with all other incorporations,) than the payment of debts now contracted, and due, or to become due, to pay which they are hereby exempted.

Which was read a first time, the rules suspended,

Read a second time, considered as engrossed, and read a third time.

Mr. Fort again moved to amend by way of ryder as follows:

Insert as an additional section the following:

Section 2. Be it further enacted, that the incorporated trustees of said town, shall possess no power to open streets or alleys, or to widen any public road now existing through the farms, land, or lots of the persons hereby attached to said incorporation, nor to lay taxes upon any property held by them, unless the same is subject to general taxation for state and county purposes; nor to exercise a power of taxing property other than by valuation, upon the pretext of declaring the holding and use of property a nuisance, by any of the persons within the limits

its attached by this act to the incorporation of said town.

Which was read a first time.

Mr. Welborn moved the indefinite postponement of the bill and ryders,

Which was negatived, when,

On motion of Mr. Harris,

The bill and ryders were referred to a select committee consisting of Messrs. Harris, Fort, Acock, Wolfskill and O'Bryan.

On his motion Mr. Acock was excused from serving on said committee, and the President appointed Mr. Welborn in his place.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, a bill entitled:

An act to authorize the Secretary of State to employ a special messenger to carry the writ of election to Decatur county.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. PRESIDENT:—

The Speaker of the House of Representatives has signed the enrolled bill entitled:

An act to authorize the Secretary of State to employ a special messenger to carry the writ of election to Decatur county.

Which was thereupon signed by the President of the Senate.

Mr Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, the enrolled bill entitled,

An act to authorize the Secretary of State to employ a special messenger to carry the writ of election to Decatur county.

The following House bills were severally read a first time and ordered to a second reading.

An act allowing fees to clerks in certain cases.

An act for the relief of the collector of Scott county, and

An act for the relief of certain purchasers of saline lands.

The following were severally read a first time, the rule suspended, read a second time and ordered to a third reading.

An act regulating ferries.

An act concerning bonds and notes.

An act to repeal the 13th section of an act to incorporate the St. Charles and St. Louis turnpike company.

The following House bills were severally read a first time, the rule suspended, read a second time, the rule further suspended, and read a third time and passed.

An act to authorize the county court of St. Louis county to appoint an assessor for the city of St. Louis.

An act for the relief of Ferdinand Kennett.

An act to change the times of holding county courts in Scott county, and

An act concerning securities.

On motion, the Senate adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, *January 22, 1845.*

The Senate met pursuant to adjournment.

On motion of Mr. Acock,

A call of the House was ordered,

When the number of Senators answering to their names was—21.

Absent—Messrs. Anderson, Boggs, Calhoun, Ellis, Harris, Lucas, Massey, Mills and Netherton.

Absent with leave, Mr. Monroe.

On committee—Mr. Jones.

A quorum being present all further proceedings under the call were dispensed with.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, January 21, 1845. }

To the Hon. the Senate:

Gentlemen—I have this day approved and signed bills of the following titles:

An act to authorize the Secretary of State to employ a special messenger to carry a writ of election to Decatur county, and

A memorial to Congress asking protection for emigrants to Oregon.

Very respectfully,

Your ob't serv't,

JOHN C. EDWARDS.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act relative to the decisions of the Supreme court.

Mr. Reese, from the select committee to whom was referred the petition of William B. Martin, of Tully, in Lewis county, praying for permission to keep a ferry on the Mississippi river, without a license, reported a bill entitled,

An act to authorize Wm. B. Martin to keep a ferry without license.

Which was read a first time, the rule suspended,

Read a second time, considered as engrossed, and read a third time and passed.

Mr. Hudspeth, on leave, introduced a bill entitled,

An act for the relief of Benjamin F. Nunally.

Which was read a first time, the rules suspended,

Read a second time, and referred to the committee of ways and means.

Mr. Johnson, on leave, introduced a bill entitled,

An act concerning the revenue.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, and passed.

Message from the House of Representatives by Mr. Gilpin, their clerk.

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act to incorporate the Weston Light Lodge No. 6, of the Independent Order of Odd Fellows of Weston, Platte county, Mo.

An act for the relief of Thomas H. Loyd.

An act to repeal an act to establish a state road from Jefferson City to the town of Hermann.

An act declaring certain rivers public highways.

An act to view and mark out a state road in Marion and Shelby counties.

An act to mark out a state road from Tippecanoe to Alexandria.

An act supplementary to an act to incorporate the city of Warsaw, approved February 23, 1843.

An act to repeal an act for the benefit of Joseph Houdeshell, jr., approved Feb. 22nd, 1843.

An act to legalise the erection of a dam across Cowskin or Elk river.

An act to authorize the county court of Dallas county to borrow the road and canal fund belonging to said county.

Memorial to Congress relative to mails and postage.

A memorial to Congress asking the improvement of the Neosho or Grand river of the Arkansas, and removal of restrictions on products conveyed through the Indian countries.

The House of Representatives has rejected the bills entitled,

An act for the relief Jacob Bylen.

An act for the benefit of William Kerr.

The House of Representatives has passed the Senate bills entitled,

An act to appropriate money.

An act for the relief of J. H. Hayden.

The House of Representatives has concurred in the amendments of the Senate to the resolution entitled,

Joint resolution in relation to the public printing;

The Speaker has signed the enrolled bills entitled,

An act to incorporate the southern levying and draining company of Missouri.

An act respecting seminary lands.

An act to incorporate the town of Platte City.

An act to authorize the county court of Osage county to divide the county revenue for certain purposes,

A memorial to the Congress of the United States asking for the improvement of White river.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

On motion of Mr. Welborn,

The committee on so much of the Governor's message as relates to laying off the State into Congressional districts, was discharged from the further consideration of the bill entitled,

An act to lay off the State into congressional districts.

On his further motion, the bill was taken up, and

On motion of Mr. Acock,

Passed over for the present.

Mr. Fort submitted the following:

Resolved by the Senate, That the select committee on the bill to amend the charter of the city of St. Louis, be discharged from the further consideration of the same, and that that committee return said bill to the Senate.

Which was read, and

On motion of Mr. Ellis,

Laid on the table.

The resolution entitled,

Joint resolution to authorise the Governor to contract with G. C. Bingham to paint a historical picture,

Was read a second time, considered as engrossed, and ordered to a third reading on to-morrow.

The following House bills were severally read a second time, and ordered to a third reading on to-morrow.

An act allowing fees to clerks in certain cases, and

An act for the relief of certain purchasers of Saline lands.

The following was read a second time:

An act for the relief of the collector of Scott county.

Mr. Fort moved to refer it to the committee of ways and means.

Which was negatived, and,

On motion of Mr. Netherton,

The bill was ordered to a third reading.

On motion of Mr. Massey,

The Senate resolved itself into a committee of the whole, Mr. Fort in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That the committee had had under consideration a bill entitled,

An act to provide for assessing the taxable property of this State, and for making lists of the same,

Had amended it, agreed to it as amended, and instructed him to report it to the Senate for its further action thereon.

The report and amendments were agreed to, and

On motion of Mr. Massey,

The bill was ordered to be re-engrossed.

The following bills from the House of Representatives were severally read a third time and passed:

An act declaring Chariton river a public highway.

An act to incorporate the town of Louisiana.

An act concerning bonds and notes.

An act regulating ferries, and

An act to repeal the 13th section of an act to incorporate the St. Charles and St. Louis turnpike company.

The Senate bill entitled,

An act relative to the decisions of the Supreme court,

Was read a third time and passed.

The following bills from the House of Representatives were severally read a first time and ordered to a second reading:

An act to authorize the Secretary of State to purchase certain maps for the use of the officers of State.

An act to establish free ferries across Salt river.

An act to establish a state road from Warsaw to Fort Scott.

An act to establish a state road from Boonville to Georgetown.

An act to incorporate the Missouri Institute of Sciences.

An act for the relief of George B. Tolson.

An act to legalize the erection of a dam across Cowskin or Elk river.

An act to repeal an act for the benefit of Joseph Howdeshell, Jr., approved Feb. 24, 1843.

An act supplementary to an act to incorporate the city of Warsaw, approved Feb. 23, 1843.

An act to mark out a state road from Tippecanoe to Alexandria.

An act to view and mark out a state road in Marion and Shelby counties.

An act to declare certain rivers public highways.

An act to repeal an act to establish a state road from Jefferson city to the town of Herman.

An act to incorporate the Weston light lodge No. 6, of the independent order of odd fellows, of Weston, Platte county, Mo.

An act for the benefit of Thomas H. Loyd. Also,

A memorial to Congress asking the improvement of the Neosho or Grand river of the Arkansas, and removal of restrictions on products conveyed through the Indian countries.

Mr. Fort moved to take up the resolutions introduced by him in relation to instructing the committee on the bank, as it regards the unsold State bonds.

Which was negatived.

The following bills from the House of Representatives were severally read a first time, the rules suspended, read a second time, the rules further suspended, and read a third time and passed,

An act to authorize the county court of Dallas county to borrow the road and

canal fund belonging to said county. Also,

Joint resolution in favor of R. Kerr, and

Memorial to Congress relative to mails and postage.

On motion of Mr. Fort,

The resolution in relation to instructing the committee on the bank, on the subject of unsold State bonds

Was taken up,

And by leave of the Senate withdrawn.

Mr. Fort then, on leave of the Senate, introduced

Joint resolutions in relation to the unsold State bonds.

Which were read a first time, the rules suspended,

And read a second time.

Mr. Mills moved their reference to the committee on the judiciary,

Which was negatived.

Mr. Netherton moved to adjourn,

Which was negatived.

On motion of Mr. Fort,

The resolutions were ordered to be engrossed and read a third time on to-morrow.

The Senate adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *January 23, 1845.*

The Senate met pursuant to adjournment.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled a bill entitled,

An act for the relief of J. H. Haden, and

An act to appropriate money.

Mr. Dechemendy, from the select committee to whom was referred the memorial of the county court of Ste. Genevieve county, reported a bill entitled,

An act granting certain power to the county court of Ste. Genevieve county.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

Mr. Acock, from the committee of ways and means, to whom was referred the bill entitled:

An act for the relief of Benjamin F. Nunally, late collector of Crawford county,

Reported to the Senate a substitute for the same.

The report and substitute were read, and

On motion of Mr. Hudspeth, disagreed to, when

The bill was read a third time and passed.

On motion of Mr. Snyder,

Resolved, That the joint committee on public printing on the part of the Senate is hereby authorized to receive bids until the 30th inst., and no longer, for the printing and binding of the revised statutes, the private acts and resolutions, and the journals of the present session of the General Assembly.

On motion of Mr. Campbell,

Resolved, That the Auditor be required to report to the Senate the amount of money paid for collecting the revenue, for the years 1843 and 4; the amount paid assessors, the cost of books, the amount paid clerks, and all the various items, for which such amount was paid.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act for the benefit of W. D. Murphy and Joseph W. McClurg.

An act to provide for the organization of certain counties.

The following Senate bills have passed the House of Representatives:

An act for the benefit of John Harbison.

An act to incorporate the town of Hermann.

An act to survey and mark out a state road.

An act concerning Congreve J. Worden, and Elizabeth Crockett.

An act for the relief of the collector of Shannon county.

The House of Representatives has agreed to the amendments of the Senate to the following House bills:

An act to allow the county court of Henry county to borrow certain money from the road and canal fund of said county.

An act to establish a State road from John Warrens, in Jefferson county, to the town of Jackson, in Cape Girardeau county.

An act for repairing the Capitol.

An act for establishing and keeping in repair roads and highways in the counties of St. Charles, Warren, Lincoln, Pike and Montgomery.

An act to repeal an act to provide for the sale of land for the taxes, approved Feb. 27, 1843.

The Speaker has signed the following enrolled bills:

An act to appropriate money.

An act for the relief of J. H. Haden.

Whereupon the said enrolled bills were signed by the President of the Senate.

The following bills from the House of Representatives, were severally read a second time, and ordered to a third reading:

An act to establish free ferries across Salt river.

An act to establish a State road from Warsaw to Fort Scott.

An act to incorporate the Missouri institute of sciences.

An act for the relief of George B. Tolson.

An act to legalize the erection of a dam across Cowskin or Elk river.

An act to repeal an act for the benefit of Joseph Howdeshell, jr., approved Feb. 23, 1843.

An act supplementary to an act to incorporate the city of Warsaw, approved Feb. 23, 1843.

An act to mark out a State road from Tippecanoe to Alexandria.

An act to view and mark out a State road in Marion and Shelby counties.

An act to declare certain rivers public highways.

An act to incorporate the Weston Light Lodge No. 6, of the Independent Order of Odd Fellows, of Weston, Platte county, Missouri.

An act for the benefit of Thomas H. Loyd. Also,

A memorial to Congress, asking the improvement of the Neosho or Grand river of the Arkansas, and removal of restrictions on products conveyed through the Indian countries.

The following bills from the House of Representatives were severally read a second time and disposed of as follows:

An act to authorize the Secretary of State to purchase certain maps for the use of the officers of State.

Committee on a committee of the whole.

An act to establish a State road from Brownville to Georgetown.

Referred to Messrs. O'Brien, Powers and Moberg.

An act to repeal an act to establish a State road from Jefferson City to the town of Herman,

Referred to a select committee, consisting of Messrs. Miller, Hudspeth and Mills.

The resolution entitled,

Joint resolution to authorize the Governor to contract with G. C. Bingham to paint a historical picture,

Was read a third time.

Mr. Thompson moved its reference to a committee of the whole, which was negatived,

And on motion of Mr. Ellis,

It was laid on the table until Thursday next.

The bill entitled,

An act to lay off the State into Congressional districts,

Was read a third time.

Mr. Acock moved to amend by way of ryder as follows:

Strike out the 2d, 3d, 4th, 5th and 6th sections, and insert in lieu thereof the following:

Sec. 2. The first Congressional district shall be composed of the counties of St. Charles, Lincoln, Pike, Marion, Lewis, Clark, Scotland, Shelby, Monroe, Ralls, Audrain, Warren, Randolph, Macon, Adair and Linn.

Sec. 3. The second Congressional district shall be composed of the counties of Platte, Buchanan, Andrew, Holt, Clay, Clinton, Davies, Caldwell, Ray, Grundy, Livingston, Carroll Chariton and Howard.

Sec. 4. The third Congressional district shall be composed of the counties of Jackson, Van Buren, Bates, Jasper, Newton, Lafayette, Johnson, Henry, St. Clair, Dade, Barry, Saline, Pettis, Benton, Polk, Greene, Taney and Dallas.

Sec. 5. The fourth Congressional district shall be composed of the counties of Boone, Callaway, Montgomery, Cooper, Cole, Osage, Gasconade, Franklin, Morgan, Miller, Pulaski, Crawford, Washington, Camden, Wright and Decatur.

Sec. 6. The fifth Congressional district shall be composed of the counties of St. Louis, Jefferson, St. Francois, St. Genevieve, Perry, Madison, Cape Girardeau, Wayne, Stoddard, Scott, New Madrid, Ripley and Shannon.

Which was read a first time, and objections being made,

The question on the rejection of the ryder was determined in the affirmative, by the following vote:

Yeas.—Messrs. Blythe, Boggs, Detchemendy, Fort, Hancock, Harris, Hudspeth, Johnson, Massey, Monroe, Polk, Rawlins, Reese, Shelton, Snyder Thompson, Welborn and Wolfskill—18.

Nays.—Messrs. Acock, Anderson, Campbell, Calhoun, Ellis, Gentry, Harper, Lucas, Miller, Mills, Netherton, O'Bryan, Powers and Snell—14.

On committee—Mr. Jones.

The question then recurred on the passage of the bill and was decided in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Massey, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—22.

Nays.—Messrs. Campbell, Gentry, Harper, Harris, Lucas, Miller, Mills, Monroe and Snell—9.

On committee—Mr. Jones.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The following bills from the House of Representatives were severally read a third time and passed.

An act for the relief of the collector of Scott county.

An act for the relief of certain purchasers of Saline lands.

The following was referred to the committee on revision.

An act concerning fees to clerks in certain cases.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act for the benefit of John Harbison,

An act concerning Congreve J. Worden and Elizabeth Crockett.

Mr. Boggs, from the select committee, to whom was referred the House of Representatives bill entitled,

An act to locate the county seat of Bates county,

On leave of the Senate, reported it back, with amendments.

The report and amendments were read and agreed to, and

The bill as amended was read a third time and passed.

The bill entitled,

An act concerning circuit judges,

Was taken up and read a third time.

Mr. Blythe moved to amend by way of ryder as follows:

Strike out the words "or supreme," where they occur in the bill:

Which was read a first time, the rule suspended,

Read a second time, considered as engrossed, and

Read a third time.

Mr. Anderson moved to amend by way of ryder as follows:

After the word county, in the first section, insert "except the county of St. Louis."

Which was read a first time, the rule suspended,

Read a second time,

Considered as engrossed and read a third time.

The question then recurred on the passage of the bill, and was decided in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Fort, Hancock, Hudspeth, Massey, Monroe, Polk, Powers, Rawlins, Snell, Snyder, Thompson and Wolfskill—14.

Nays—Messrs. Blythe, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Johnson, Lucas, Miller, Mills, Netherton, O'Bryan and Welborn—15.

Absent, Messrs. Detchemendy, Reese and Shelton.

On committee, Mr. Jones.

On their several motions, Messrs. Monroe and Fort were permitted to change their votes from the affirmative to the negative on the above question.

On motion of Mr. Rawlins,

The Senate resolved itself into a committee of the whole, Mr. Rawlins in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act to allow suits against officers for services rendered under illegal orders.

An act to recover public records.

An act regulating the action of replevin.

An act to provide for the election of justices of the peace, and to prescribe their powers and duties.

An act regulating writs and process.

An act concerning the action of Detinue.

An act to provide for reporting the decisions of the Supreme court, and

An act regulating injunctions.

Had agreed to the same without amendment, and had instructed him to report the same to the Senate for further action. Also,

An act to restrain gaming, and

An act relating to the distribution of the road and canal fund.

Had amended the same, agreed to them as amended, and had instructed him to report the same to the Senate for further action.

The report was read and agreed to,

And on motion, the said bills were ordered to be engrossed.

On motion, the Senate adjourned, until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *January 24, 1845.*

The Senate met pursuant to adjournment.

Mr. Boggs presented the petition of sundry citizens of Jackson county, and Van Buren county, in relation to locating a state road from Sibley to Harrisonville, which was referred to a select committee, consisting of Messrs. Boggs, Calhoun and Acock.

Mr. Hancock, from the committee on claims, to whom was referred a bill from the House of Representatives entitled,

An act for the relief of John A. Dougherty and others,

Reported it to the Senate without amendment, and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

Mr. Harris, from the select committee to whom was referred the House bill entitled,

An act to view and mark out a State road from Donahoe's lane, in Boone county, to Parsons' in Cooper county.

Reported it to the Senate without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act to provide for assessing the taxable property of this State, and for making lists of the same.

An act relating to the distribution of the road and canal fund, and

A joint resolution in relation to the unsold state bonds.

Message from the House of Representatives by Mr. Gilpin, their clerk.
Mr. President:

The following bills have passed the House of Representatives:

An act to license and tax pedlers.

An act respecting townships.

An act to regulate weights and measures.

An act to provide for the organizing of counties hereafter established.

An act to regulate practice in the Supreme court.

The Speaker has signed the following enrolled bills:

An act concerning Congrove J. Warden and Elizabeth Crockett.

An act for the relief of John Harbison.

Joint resolution in relation to public printing.

Joint resolution in favor of Jerusha Lisle.

Abstract of the laws of the United States in relation to the naturalization of aliens.

An act for the benefit of the estate of James Keyte, deceased.

An act to survey and mark out the boundary line between the counties of Taney and Decatur.

The following bills have been introduced into the House of Representatives from the committee on revision.

An act for opening and repairing public roads and highways.

An act regulating sett-off.

An act concerning plats of towns and villages.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

The following bills from the House of Representatives were severally read a third time and passed:

An act to establish free ferries across Salt river.

An act to establish a state road from Warsaw to Fort Scott.

An act to incorporate the Missouri Institute of Sciences.

An act to legalize the erection of a dam across Cowskin or Elk river.

An act to repeal an act for the benefit of Joseph Howdeshell, jr. approved February 22, 1843.

An act supplementary to an act to incorporate the city of Warsaw, approved February 23, 1843.

An act to mark out a state road from Tippecanoe to Alexandria.

An act to view and mark out a state road in Marion and Shelby counties.

An act to incorporate the Weston light lodge No. 6, of the independent order of odd fellows of Weston, Platte county, Mo.

The memorial from the House of Representatives entitled,

A memorial to Congress asking the improvement of the Neosho or Grand river of the Arkansas, and removal of restrictions on products conveyed through the Indian countries,

Was read a third time.

Mr. Massey moved to amend by way of rider as follows:

Strike out in the resolution at the end of the memorial the words: "the different States of the Union," and insert in lieu thereof, "this State."

Which was read a first time, the rules suspended,

Read a second time, considered as engrossed, and read a third time, and

The memorial as amended passed by the following vote:

Yeas.—Messrs. Acock, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Snyder, Welborn and Wolskill—24.

Nays—Messrs. Anderson, Fort, Harper, Mills and Shelton—5.

Absent. Messrs. Ellis, Lucas, Monroe and Thompson.

The bill entitled,

An act to provide for assessing the taxable property of this State, and for making lists of the same,

Was, on motion, passed over, and made the order of the day for Thursday next.

The House bill entitled,

An act for the benefit of Thomas H. Loyd,

Was read a third time and passed by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Hancock, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Monroe, Nether-ton, O'Bryan, Rawlins, Reese, Shelton, Snell, Thompson, Welborn, and Wolf-skill—24.

Nays—Messrs. Acöck, Campbell, Fort, Gentry, Harper, Polk, Powers, and Snyder—8.

Absent, Mr. Lucas.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act for the benefit of John Harbison.

An act concerning Congrove J. Warden and Elizabeth Crockett.

An act for the relief of Joel H. Haden, and

An act to appropriate money.

The bill entitled,

An act relating to the distribution of the road and canal fund,

Was read a third time and passed.

The House bill entitled,

An act to declare certain rivers public highways,

Was read a third time, and

The question on the passage was decided in the negative.

The resolutions entitled,

Joint resolutions in relation to the unsold State bonds,

Were read a third time.

Mr. Anderson moved to amend by way of ryder as follows:

Strike out all after the word "resolved," in the first resolution, and insert, "By the Senate and House of Representatives concurring:

1st. That the following proposition be and the same is hereby submitted to the private stockholders of the bank of the State of Missouri:

That the president and directors of the bank surrender and deliver to the State of Missouri, all the unsold State bonds in the possession or under the control of said bank.

2nd. That if the private stockholders of the bank of the State of Missouri, at a meeting to be called as hereinafter provided for, shall unanimously approve of, and assent to the said proposition hereby submitted to them, then on such approval and assent being by them certified to the Department of State, the said proposition so approved and assented to, shall take effect accordingly.

3rd. That the private stockholders of the Bank of the State of Missouri, shall meet in person or by proxy, at the banking house in the city of St. Louis,

on the first Monday of next, and then and there take into consideration the foregoing proposition, and if it be unanimously approved and assented to, they shall certify such approval to the Department of State, and the Secretary of State shall file the same with the original roll of the bank charter.

4th. That on the filing of the aforesaid certificate the said bonds shall be considered forever null and void, and the Secretary of State shall thereupon employ an agent to receive from the bank the said bonds, who shall on their receipt cause the same to be filed in the office of the Auditor of State, in order that the proper entries may be made preparatory to their being cancelled.

5th. That after the proper entries shall have been made, as in the preceding resolution, the Auditor shall cause to be written across the face of each bond in *black ink*, the word "cancelled."

Which was read a first time, and
Objections being made, the question on the rejection of the ryder was pending, when,

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Monroe,

A call of the House, was ordered.

The roll being called, the number of Senators answering to their names was—22.

Absent, Messrs. Acock, Anderson, Calhoun, Ellis, Lucas, Netherton, Rawlins, Reese, Shelton, Snell and Thompson.

The Sergeant at arms was dispatched to notify the absentees, when

All further proceedings under the call were dispensed with.

The question on the rejection of Mr. Anderson's amendment offered to the joint resolutions in relation to the unsold State bonds, being under consideration the same was decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Blythe, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Polk, Powers, Rawlins, Reese, Shelton Snyder, Thompson, Welborn and Wolfskill.—20.

Nays.—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Gentry, Harris, Lucas, Mills, Netherton, O'Bryan and Snell—12.

Absent, Mr. Calhoun.

On motion of Mr. Acock,

The blank in the resolutions was filled with the words "William Fort," and

The question recurring on the passage of the resolutions,

Was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Blythe, Campbell, Detchemendy, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill.—24.

Nays.—Messrs. Anderson, Boggs, Ellis, Gentry, Lucas, Mills, Netherton, and Snell—8.

Absent—Mr. Calhoun.

The following bills from the House of Representatives were severally read a first time, the rule suspended, read a second time, and ordered to a third reading.

An act to provide for organizing counties hereafter established.

An act respecting townships.

The following were read a first time, the rule suspended, read a second time, and disposed of as follows.

An act to regulate practice in the supreme court,

Passed over for the present.

An act to regulate weights and measures,

Referred to the committee on agriculture.

An act to license and tax pedlers,

Referred to the committee of ways and means.

Mr. Lucas gave notice that he would, on Monday next or some subsequent day, ask leave to introduce a bill providing for the sale of the stock held in the name of the State, in the bank of the State of Missouri, and to secure from further loss or waste the funds belonging to the seminary and common schools, and for other purposes.

On motion,

The Senate adjourned until to-morrow morning at 9 o'clock.

SATURDAY MORNING, *January 25, 1845.*

The Senate met pursuant to adjournment.

Mr. Jones presented the petition of the citizens of the corporation of the town of Washington, praying an alteration of the school law;

Which was read and referred to a select committee consisting of Messrs. Jones, Boggs and Polk.

Mr. O'Bryan, from the select committee, to whom was referred the House bill entitled,

An act to establish a State road from Boonville to Georgetown,

Reported it to the Senate with an amendment.

The report was agreed to, and

The bill as amended, was read a third time and passed,

Mr. Jones gave notice that he would, on Monday next, or some day thereafter, ask leave to introduce a bill to amend an act entitled,

An act concerning marriage contracts, approved January 22nd, 1835.

On motion of Mr. Polk,

The vote on the House bill entitled,

An act declaring certain rivers public highways,

Was reconsidered, and,

On his further motion, the bill was taken up and passed.

The following House bills were severally read a third time and passed.

An act to repeal an act concerning strays in Jefferson county, approved, Feb. 25, 1843.

An act for the relief of Jefferson county.

An act to establish the boundary line between Franklin and Jefferson counties.

An act to provide for organizing counties hereafter established.

An act respecting townships.

Message from the House of Representatives, by Mr. Gilpin, their clerk,

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act concerning the plats of towns and villages.

The following revised bills from the Senate, have passed the House of Representatives:

An act concerning contracts and promises.

An act to provide for erecting county buildings.

An act concerning boatmen.

An act concerning advertisements.

An act regulating the action of account.

An act to provide for building bridges.

An act concerning arbitrations and references.

An act concerning apprentices.

The House bill entitled,

An act concerning the plats of towns and villages.

Which was read a first time, the rules suspended,

Read a second time, and

Ordered to a third reading on Monday next.

On motion of Mr. Acock,

The Senate resolved itself into committee of the whole,

Mr. Acock in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration,

Joint resolutions proposing amendments to the constitution of the State of Missouri, in relation to the limitation of judicial tenures.

Had proposed an amendment to the same, and instructed him to report it to the Senate with the recommendation that the resolution and amendments be printed; and also ask to be discharged from the further consideration of the subject.

And a bill entitled,

An act regulating the interest of money,

Had instructed him to recommend to the Senate that it be printed.

And a bill entitled,

An act to establish and regulate the penitentiary.

Had amended the same, agreed to it as amended, and instructed him to report it to the Senate for further action.

Also, a bill entitled,

An act to encourage the destruction of wolves,

And had instructed him to report it to the Senate with the recommendation that it be rejected.

The report was agreed to, and

On motion of Mr. Monroe,

The bills reported to the Senate for its further action, were ordered to be engrossed.

Message from the House of Representatives by Mr. Huston, their assistant clerk:

MR. PRESIDENT:

The following bill has passed the House of Representatives:

An act for the relief of W. D. Murphy and J. W. McClurg.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Jan. 24, 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed the following bills:

An act for the benefit of John Harbeson.

An act concerning Congreve J. Warden and Elizabeth Crockett.

An act for the relief of Joel H. Haden.

An act for the relief of Miley Owen, and

An act to appropriate money.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

On motion of Mr. Fort,

Resolved, That the Auditor of Public Accounts be, and he is hereby required to report to the Senate as early as practicable, the amount of the defalcation of L. D. Blankenship, late sheriff of Chariton county, designating,

1st. The amount of principal exclusive of interest.

2nd. The amount of interest or damages due thereon.

3rd. The amount of forfeitures or penalties incurred for the failure to pay money into the treasury according to law.

On motion of Mr. Campbell,

Ordered that the resolution submitted by him, and adopted on the 23rd inst., requiring the Auditor to report the expense of collecting the revenue for 1843-4, be rescinded.

On motion of Mr. Hancock,

The House bill entitled,

An act for the relief of W. D. Murphy and J. W. McClurg,

Was taken up, read a first time, the rules suspended, and read a second and third time and passed.

On motion the Senate adjourned until Monday morning at 10 o'clock.

MONDAY MORNING, Jan. 27, 1845.

The Senate met pursuant to adjournment.

Mr. Snell presented the petition of Jno. B. Sterzenegger, praying the privilege of selling clocks of his own manufacture any where in this State without license.

Which was read and referred to a select committee consisting of Messrs. Snell, Monroe and Anderson.

Mr. Boggs, from the select committee to whom was referred the petition of

the citizens of Van Buren and Jackson counties, praying the establishment of a state road from Sibley to Harrisonville, reported a bill entitled,

An act to establish a state road.

Which was read a first time and ordered to a second reading.

Mr. Welborn, from the committee to whom was referred so much of the Governor's message as relates to the establishment of a lunatic asylum in this State, reported a communication from the Hon. R. W. Wells on that subject, with the recommendation that it be printed.

Mr. Harper objected to printing the communication, and

The question on printing was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Mills, Monroe, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—30.

Nays—Messrs. Gentry and Harper—2.

Absent—Mr. Rawlins.

On motion of Mr. Monroe,

Resolved, That in the investigation of the contested election now pending before the Senate, the two back seats on either side of the aisle leading from the President's chair to the door, are hereby assigned to the parties and their counsel; the seat on the left side of the aisle, shall be occupied by the contestor and his counsel, and that on the right by Mr. O'Bryan and his counsel. The contestor's counsel shall open the debate, and have the right to close the same. The counsel on both sides as well as the parties, shall be subject to the rules and orders of the Senate during the investigation of the subject.

Mr. Fort asked and obtained leave of absence for Mr. Rawlins for a few days.

On motion of Mr. Monroe,

The report of the committee on elections in the case of the contested election from the 21st Senatorial district, composed of the county of Cooper, was taken up and read.

On motion of Mr. Jones,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 32.

Absent with leave, Mr. Rawlins,

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President,

The House of Representatives have passed the following revised bills from the Senate:

An act concerning coroners.

An act concerning inquests.

The House has amended and passed as amended, the following revised bills from the Senate:

An act respecting constables.

An act respecting seed horses.

An act to enable persons held in slavery to sue for their freedom.

The House has passed the Senate bill entitled,

An act for the relief of Benjamin F. Nunally.

The House has agreed to the amendments of the Senate to the House bill entitled:

An act to locate the county seat of Bates county.

The Speaker has signed the enrolled bills entitled:

An act authorizing C. Waldo to build a dam on Sac river.

An act to prevent the firing of woods, marshes and prairies.

An act regulating ferries.

An act concerning marriage contracts.

An act for the relief of Abraham Brown.

An act to incorporate the Savannah Lyceum.

An act respecting public administrators.

Memorial to Congress relative to the admission of the State of Iowa.

Abstract of the law in relation to the authentication of public acts, records and judicial proceedings.

Joint resolution relative to abstracts of United States laws.

Whereupon, the President of the Senate, signed the enrolled bills aforesaid.

NOTE—The counsel of the contestor, Mr. Miller, moved that the depositions taken in the case be read in the course of the investigation.

The counsel of the contestee, Mr. O'Bryan, objected to reading the depositions upon the ground that the notice did not specify the names of the voters, whose right to vote is contested, and therefore did not conform to the statutes of the State.

The question was pending on the motion to read the depositions, when,

On motion, the Senate adjourned until half past 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Monroe,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 28.

Absent, Messrs. Detchemendy, Ellis, Lucas and Powers.

Absent with leave, Mr. Rawlins.

On motion, all further proceedings under the call were dispensed with.

Mr. Acock, from the committee on enrolled bills, reported as truly enrolled, a bill entitled:

An act for the relief of Benjamin F. Nunally, late collector of Crawford county.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. PRESIDENT:—

The Speaker of the House of Representatives has signed the following enrolled bills

An act for the benefit of W. D. Murphy and Joseph W. McClurg.

An act for the relief of Benjamin F. Nunally, late collector of Crawford county.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

Mr. Jones offered the following:

Resolved, That in the opinion of the Senate, the notice given by John Miller, the contestor, to Jordon O'Bryan, the sitting member of the Senate, of his intention to contest his right to a seat in this body, conforms to the letter and

spirit of the law on the subject, and that the notice given by him is sufficiently definite for all purposes of justice and fair investigation of the matter in dispute, and that therefore the testimony taken in pursuance of said notice, should be read in the investigation of the case:

Which was adopted by the following vote:

Yeas.—Messrs. Acock, Blythe, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Monroe, Netherton, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolskill—22.

Nays.—Messrs. Anderson, Campbell, Calhoun, Gentry, Harris, Lucas, Mills and Snell—8.

Excused from voting—Messrs. Miller and O'Bryan.

Absent with leave—Mr. Rawlins.

On motion of Mr. Massey,

Resolved, That in the investigation of the matter in controversy now before the Senate, the counsel be requested to bring forward the cases individually, read the testimony and proceed with the argument, and that the Senate then proceed to vote on and dispose of the first individual brought forward, before another and different individual case is brought forward, and so on to the close.

Mr. Anderson moved to adjourn until to-morrow morning at 10 o'clock.

Which was negatived.

The legality of the vote of Silvester Baldwin being under consideration, On motion, the Senate adjourned until to-morrow morning 9 o'clock.

NOTE.—The contestor, Mr. Miller, in the case of the contested election from the 21st Senatorial district, appeared with his counsel, Messrs. Phelps and Chilton.

The contestee, Mr. O'Bryan, also appeared with his counsel, Messrs. Leonard and Hayden.

When the parties severally took the seats assigned them in the Senate chamber.

TUESDAY MORNING, January 28, 1845.

The Senate met pursuant to adjournment.

The President laid before the Senate the petitions of sundry citizens of the county of Lafayette, praying for the passage of a law to prevent trespasses upon timbered land.

Which was read and referred to the committee on revision.

Mr. Monroe, from the committee of ways and means, who were instructed by a resolution of the Senate to enquire into the expediency of regulating the practice of medicine by law, and of laying a tax on doctors and lawyers, and to report by bill or otherwise, reported

That in the opinion of the committee, there was no necessity of any legislative action to regulate the practice of medicine, and they deem it wholly inexpedient to pass a law for the purpose of taxing doctors and lawyers, and the committee also asked to be discharged from the further consideration of the subject.

The report was agreed to.

Mr. Monroe, also from the same committee, who were instructed by a resolution of the Senate to enquire into the propriety of providing by law for the repeal of such statutes as require merchants in the State to pay a license tax, and that in lieu thereof an ad valorem tax of one per cent, be imposed on the capital employed by them in merchandize, reported,

That in the opinion of the committee, it is inexpedient to adopt the principle involved in the resolution, and also asked to be discharged from the further consideration of the subject.

The report was agreed to.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act regulating writs and process.

An act allowing suits against officers for services rendered under illegal orders.

An act to provide for the election of Justices of the Peace, and to prescribe their powers and duties.

An act to restrain gaming.

An act to provide for reporting the decisions of the Supreme Court.

An act to recover public records.

On motion of Mr. Reese,

Resolved, That the Sergeant at Arms of the Senate be allowed three dollars per day as a full compensation for his services during the present session of the General Assembly, to be paid out of the contingent fund of the General Assembly.

The President laid before the Senate a communication from the Auditor in answer to a resolution of enquiry, of the Senate, adopted on the 25th inst., relative to the defalcation of L. D. Blankenship, late collector of Chariton county.

Which was read and referred to the committee of ways and means.

On motion of Mr. Harper,

The report of the commissioners, appointed to purchase a site for the State Tobacco Warehouse,

Was taken up, and on his further motion,

Referred to the State Tobacco Warehouse committee.

On motion of Mr. Monroe,

Resolved, That so much of the resolution adopted yesterday in relation to the investigation of the contested election now pending before the Senate, as assigns to the parties and their counsel the back seats on either side of the aisle, be rescinded; and that seats be assigned them in front of the Secretary's desk, and that the counsel be so far relieved from the rules of the Senate, as would make it their duty to address the President.

On motion of Mr. Monroe,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 31.

Absent, Mr. Miller.

With leave, Mr. Rawlins.

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Monroe:

The counsel of the parties in the contested election from the 21st Senatorial district, proceeded with the investigation.

Message from the House of Representatives by Mr. Gilpin, their clerk.

MR. PRESIDENT:

The House of Representatives: have passed the following revised bills from the Senate:

An act prescribing the manner of electing United States Senators.

An act providing for the election of a commissioner for the permanent seat of Government, and for other purposes.

An act concerning the office of county surveyor.

An act concerning perpetuating testimony.

An act regulating the office of sheriff and marshal.

An act respecting saline lands.

An act to provide for the support of the poor.

An act respecting salvage.

An act concerning strays.

An act relative to fugitives from other states.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, January 27, 1845. }

To the Hon. the Senate:

Gentlemen—I have this day approved and signed a bill of the following title:

An act for the relief of Benjamin F. Nunally, late collector of Crawford county.

Very respectfully,

Your ob't serv't,

JOHN C. EDWARDS.

Mr. Fort submitted the following:

Resolved, That Silvester Baldwin did not possess the legal qualifications of a voter in Cooper county, on the 1st Monday in August, 1844, and that his vote should not be counted for Mr. O'Bryan.

The question was pending on the adoption of the resolution, when,

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Polk,

A call of the House was ordered.

The roll being called called,

The number of Senators answering to their names was—27.

Absent—Messrs. Boggs, Campbell, Calhoun, Miller and Reese.

Absent with leave—Mr. Rawlins.

Whereupon the sergeant at arms was despatched to notify the absentees.

On motion, all further proceedings under the call were dispensed with.

The resolution offered by Mr. Fort being under consideration,

The question on its adoption was decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—19.

Nays—Messrs. Boggs, Calhoun, Detchemendy, Gentry, Harper, Harris, Lucas, Mills, Netherton, and Snell—10.

Absent—Messrs. Campbell and Miller.

With leave, Mr. Rawlins.

Excused from voting—Mr. O'Bryan.

The vote of D. C. Foster, which had been given for Mr. O'Bryan, was taken up, and objected to by the contestor's counsel, and,

On motion of Mr. Acock,

Was rejected as bad for want of legal residence in Cooper county, at the August election in 1844, by the following vote:

Yeas.—Messrs. Acock, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Mills, Monroe, Netherton, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—29.

Nays.—Mr. Anderson—1.

Absent—Mr. Miller.

With leave Mr. Rawlins.

Excused from voting, Mr. O'Bryan.

Mr. Monroe offered the following:

Resolved, That as the fact is admitted by Mr. O'Bryan's counsel, that Hugh Farrie is an alien, therefore the vote of said Farrie be rejected.

Mr. Ellis offered the following substitute:

Resolved, That when the contestor and contestee concur as to the legality or illegality of any vote, in reference to the present contest, the Senate will be governed by such agreement.

Which was decided by the President to be out of order.

The question then recurred on the adoption of Mr. Monroe's resolution, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Mills, Monroe, Netherton, Polk, Powers, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill—28.

Nays—Messrs. Fort and Shelton—2.

Absent—Mr. Miller.

With leave Mr. Rawlins.

Excused from voting, Mr. O'Bryan.

The counsel of the contestor, then took up the vote of John Williams, which they contended should have been given for John Miller.

Mr. Campbell offered the following:

Resolved, That the vote of John Williams be counted for John Miller.

Which was rejected by the following vote:

Yeas—Messrs. Acock, Anderson, Hancock, Johnson, Jones, Monroe, Polk, Powers, Reese, Snyder, Thompson, Welborn and Wolfskill—13.

Nays—Messrs. Blythe, Boggs, Campbell, Calhoun, Detchemendy, Fort, Gentry, Harper, Harris, Hudspeth, Lucas, Massey, Mills, Netherton, Shelton and Snell—17.

Absent, Mr. Miller.

With leave, Mr. Rawlins.

Excused from voting, Mr. O'Bryan.

On motion of Mr. Monroe,

Resolved, That the votes of John Shaw and Charman Bailey, who voted for Jordan O'Bryan, be rejected, it having been admitted by Mr. O'Bryan's counsel that they are illegal.

Mr. Jones moved to adjourn until to-morrow morning at 9 o'clock.

Which was rejected.

Mr. Boggs moved to adjourn until to-morrow morning.

Which was rejected.

Mr. Massey moved to adjourn until half past 9 o'clock this evening.

Which was decided in the negative by the following vote:

Yeas.—Messrs. Boggs, Fort, Harris, Jones, Lucas, Massey, Shelton and Wolf-skill—8.

Nays.—Messrs. Acock, Anderson, Blythe, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Hudspeth, Johnson, Miller, Mills, Monroe, Netherton, Polk, Powers, Reese, Snell, Snyder and Thompson—22.

Absent—Mr. Welborn.

With leave—Mr. Rawlins.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, January 29, 1845.

The Senate met pursuant to adjournment.

Mr. Monroe presented the petition of sundry holders of the State bonds, praying for the passage of a law refunding the State bonds held by them in sums of one thousand dollars bonds, payable at same time and place, and with coupons to bearer, or one of the State officers.

Which was read and referred to the committee of ways and means.

Mr. Thompson, from the committee on the militia, to whom was referred a bill entitled,

An act for the relief of James Lusk,

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendment were read and agreed to, and

The bill as amended was read a third time and passed; and

On motion of Mr. Monroe,

The Secretary was directed to have the said bill engrossed.

Mr. Campbell, from the joint committee on revision, made the following report:

The committee of revision, have had under consideration bills of the following titles:

An act to regulate the office of Secretary of State.

An act for the regulation and management of the State library, and

An act to regulate fees.

Which they have instructed me to report to the Senate without amendment.

The bill referred to the committee by the Senate, entitled,

An act allowing fees to clerks in certain cases,

Is herewith returned with the recommendation that the word "ten" in the 4th line of sec. 1, be stricken out, and "five" inserted in lieu thereof, and that it be passed as thus amended.

The committee have had under consideration the resolution of the Senate respecting bonds and mortgages given for the purchase of school lands, and have reported the same to the House of Representatives, with the request that it be referred to the committee on education.

The report was read and agreed to, and

The House bill entitled,

An act allowing fees to clerks in certain cases.

Was read a third time, and passed as amended.

The following bills, reported by the committee on revision, were generally read a first time, the rule suspended, read a second time and committed to a committee of the whole.

An act to amend the charter of the city of St. Louis.

An act for the regulation and control of the State Library, and

An act to regulate the

The latter bill was further ordered to be printed.

Mr. Pola gave notice that he would on tomorrow, or some subsequent day, ask leave to introduce a bill to regulate the present license system on merchandise and groceries, and in lieu thereof lay on ad valorem.

Mr. Campbell, on leave, introduced a bill entitled,

An act to provide for the redemption of certain State bonds.

Which was read a first time, the rule suspended,

Read a second time, and referred to the committee of ways and means.

On motion of Mr. Monroe,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 29.

Absent, Messrs. Fort, Mills and Snell.

With leave Mr. Rawlins.

On motion, all further proceedings under the call were dispensed with.

On motion, the counsel for the parties proceeded to investigate the contested election from the 21st Senatorial district.

Mr. Anderson submitted the following:

Resolved, That the counsel for Mr. O'Bryan, be heard on the mode of proceeding in the present contest between Mr. Miller and Mr. O'Bryan.

Which, on motion of Mr. Hudspeth,

Was laid on the table.

The counsel of Mr. Miller, the contestor, objected to the vote of Joseph S. Phillips, which had been counted for Mr. O'Bryan, on the ground of a want of legal residence at the time of voting.

Mr. Massey offered the following:

Resolved, That in the opinion of the Senate, Joseph S. Phillips had not a legal right to vote in Cooper county at the last August election, and that his vote should not be counted for Jordan O'Bryan.

Which was adopted by the following vote:

Yeas—Messrs. Acock, Blythe, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Reese, Shelton, Snyder, Thompson and Welborn—15.

Nays—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, Powers, Snell and Wolfskill—15.

Absent, with leave, Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

The Senate being equally divided the President gave the casting vote in the affirmative.

The counsel for the contestor, Mr. Miller, objected to the vote of John Smith, who voted for Mr. O'Bryan, on the ground that he was a non-resident at the time of voting in the county of Cooper, at the August election in 1844.

Mr. Jones offered the following:

Resolved, That the vote of John Smith is illegal, and that the same be rejected by the Senate, and not counted for Jordan O'Bryan.

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Mills, Monroe, Netherton, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—30.

Nays—None.

Absent with leave—Mr. Rawlins.

Excused from voting—Messrs. Miller and O'Bryan.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The House of Representatives has passed the revised bill from the Senate, entitled:

An act concerning witnesses.

Also, the Senate resolution entitled,

Joint resolution in relation to the unsold State bonds.

The following bills have been reported to the House of Representatives from the committee on revision:

An act to provide for the protection of land and property.

An act to establish justices courts and regulate proceedings therein.

The Speaker has signed the following enrolled bills:

An act to change the time of holding county courts in Scott county.

An act to authorize the county court of St. Louis county to appoint an assessor for the city of St. Louis.

An act to incorporate the town of Louisiana.

An act concerning securities.

An act for the relief of certain purchasers of Saline lands.

An act for repairing the Capitol.

An act for the relief of J. T. Quisenbury.

An act to repeal the 13th section of an act to incorporate the St. Charles and St. Louis turnpike company.

An act authorizing officers to call to their assistance the power of the county.

An act for the relief of Ferdinand Kennett.

An act for the relief of the collector of Scott county.

An act to authorize the county court of Dallas county to borrow the road and canal fund belonging to said county.

An act to remove the administration on the estate of the late Thomas Reynolds from Cole, to Platte county.

An act for establishing and keeping in repair roads and highways in the counties of St. Charles, Warren, Lincoln, Pike and Montgomery.

An act concerning bonds and notes.

An act to establish a State road from John Warrens, in Jefferson county, to the town of Jackson, in Cape Girardeau county.

An act to allow the county court of Henry county to borrow certain money from the road and canal fund of said county.

Joint resolution in favor of R. Kerr.

Memorial to Congress relative to mails and postage.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

The counsel of the contestor, Mr. Miller, objected to the vote of David Pixotto, who voted for Mr. O'Bryan, on the ground that he was a non-resident at the time of voting.

Mr. Snyder, from the committee on enrolled bills, reported as truly enrolled a resolution entitled,

Joint resolution in relation to the unsold State bonds.

Message from the House of Representatives by Mr. Huston, their assistant clerk:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the resolution entitled,

Joint resolution in relation to the unsold State bonds.

Mr. Reese moved to adjourn.

Which was negatived.

Mr. Fort submitted the following:

Resolved, That David C. Pixotto, was not a legal voter in the county of Cooper, at the general election in 1844, and that his vote should not be counted for Jordan O'Bryan.

Which was adopted by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Massey, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill.

Nays.—Messrs. Campbell, Gentry, Harris, Jones, Lucas, Mills, Netherton and Snell—8.

Absent, with leave, Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Anderson,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 30.

Absent, Messrs. Monroe and Netherton.

Absent with leave, Mr. Rawlins.

On motion, all further proceedings under the call were dispensed with.

The counsel of the contestor, Mr. Miller, objected to the vote of Curtis J. Wood, which had been counted for Mr. O'Bryan, on the ground that he was a non-resident at the time of voting.

Mr. Hudspeth submitted the following:

Resolved, That in the opinion of the Senate, Curtis J. Wood had no legal right to vote in the county of Cooper, at the last general election, and that his vote ought not to be counted for Jordan O'Bryan.

Which was adopted by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Reese, Shelton, Snyder and Wolfskill—16.

Nays.—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Massey, Mills, Netherton, Snell, Thompson and Welborn—14.

Absent, with leave, Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

The counsel for the contestor, Mr. Miller, objected to the vote of Hiram Wilber, which had been counted for Mr. O'Bryan, for the reason that it was illegal, for want of legal residence at the time of voting.

Mr. Fort submitted the following:

Resolved, That Hiram Wilber did not possess the qualifications of a legal voter of Cooper county at the August election in 1844, and that his vote ought not to be counted for Jordan O'Bryan.

On motion of Mr. Netherton,

The yeas and nays were called for and ordered, when the resolution was adopted by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Ellis, Fort, Hancock, Harper, Hudspeth, Jones, Johnson, Massey, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—20.

Nays—Messrs. Boggs, Calhoun, Detchemendy, Gentry, Harris, Lucas, Mills, Netherton and Snell—9.

Absent Mr. Campbell.

With leave, Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

Mr. Detchemendy moved to adjourn.

Which was negatived.

The counsel for Mr. Miller objected to the vote of Henry Elliott, for the reason that he was a non-resident at the time of voting.

Mr. Monroe offered the following:

Resolved, That the vote of Henry Elliott is a good vote and should be counted for Jordan O'Bryan.

On motion of Mr. Netherton,

The yeas and nays were called for and ordered, when the resolution was adopted by the following vote.

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Mills, Monroe, Netherton, Polk, Powers, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—28.

Nayes—None.

Absent, Messrs. Ellis and Reese.

With leave—Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

The counsel for Mr. Miller then took up the case of Samuel Neal, to whose vote they objected on the ground that he was a non-resident at the time of voting for Mr. O'Bryan.

Mr. Massey submitted the following:

Resolved. That Samuel Neal was a legal voter at the last August election in Cooper county, and that his vote should be counted for Jordan O'Bryan.

On motion of Mr. Gentry,

The yeas and nays were called for and ordered on the adoption of the resolution, which was decided in the affirmative by the following vote: —

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas,

Massey, Mills, Monroe, Netherton, Polk, Powers, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—27.

Nay—Mr. Fort—1.

Absent—Messrs. Ellis and Reese.

With leave Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

On motion, the Senate adjourned, until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *January 30, 1845.*

The Senate met pursuant to adjournment.

On motion of Mr. Massey,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 27.

Absent, Messrs. Boggs, Ellis, Fort, Lucas and Monroe.

Absent with leave, Mr. Rawlins.

The door-keeper was dispatched to notify the absentees, and

On motion of Mr. Blythe,

All further proceedings under the call were dispensed with.

The counsel of the parties proceeded with the investigation of the case of the contested election from the 21st Senatorial district.

The counsel on the part of Mr. Miller, objected to the vote of William H. Stacy, which had been counted for Mr. O'Bryan, for the reason that he was not a legal resident of Cooper county, at the time of voting.

On motion of Mr. Massey,

Resolved, That William H. Stacy was a legal voter in Cooper county, at the last August election, and that his vote should be counted for Jordan O'Bryan.

The counsel of Mr. Miller objected to the vote of Benjamin Ricketts, which had been counted for Mr. O'Bryan, on the ground of a want of legal residence.

Mr. Hudspeth offered the following:

Resolved by the Senate, That Benjamin Ricketts had no legal right to a vote in the county of Cooper, at the late August election, and that his vote ought not to be counted for Jordan O'Bryan as State Senator.

The question on the adoption of the resolution was determined in the affirmative. Yeas 16, nays 14.

On motion of Mr. Netherton,

The yeas and nays were called for and ordered,

Those who voted in the affirmative are:

Messrs. Acock, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn, and Wolfskill.

Those who voted in the negative are:

Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, and Snell.

Absent with leave, Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President:

The following bills have been introduced into the House of Representatives:

An act for the relief of the heirs of Daniel Clare.

An act to receive and appropriate money.

An act to change the name of Mary Jane Howard, and Ferdinand her son.

An act to close Randolph street in the town of Glasgow, and for other purposes.

An act to establish a state road from Independence to Wayne City, in Jackson county.

Joint resolution for the benefit of the New York Historical Society.

The following bills have been rejected by the House of Representatives:

An act for the relief of Wharton R. Burton, sheriff of Linn county.

An act for the relief of Jeremiah Phillips, late sheriff of Linn county.

An act for the relief of Archibald Woods.

An act for the relief of Isaac Peevey, collector of Barry county.

An act for the relief of Enos McDaniel.

An act for the relief of W. L. Gordon and Edmond Woods of St. Clair county.

The following revised bills from the Senate have passed the House of Representatives:

An act to establish recorder's offices.

An act relative to insane persons.

An act to establish and regulate the treasury department.

An act to establish a court of common pleas in the county of St. Louis.

An act concerning descents and distributions.

An act to prevent certain trespasses.

An act regulating enclosures.

An act to provide for the protection of land and personal property.

The House of Representatives has amended, and passed as amended, the revised bills from the Senate:

An act concerning divorce and alimony.

An act concerning mills and mill dams.

The House insists on its amendments to the amendments of the Senate to the House bills entitled:

An act regulating the attorney general, circuit and county attorneys.

An act to regulate actions on penal bonds.

The House has laid on the table until the 1st of June next, the Senate bill entitled:

An act regulating ferries.

The following bill has passed the House of Representatives:

An act to provide for the organization of certain counties.

An act for the relief of the heirs of Daniel Clare.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

On motion of Mr. Fort,

The investigation of the contested election was passed over for the present.

On motion of Mr. Massey,

The House bill entitled,

An act to provide for the organization of certain counties,

Was taken up, read a first time, and ordered to a second reading on Monday, the 10th day of February.

The counsel of the parties resumed the investigation of the contested election.

The counsel of Mr. Miller objected to the vote of James T. Dixon, who voted for Mr. O'Bryan, for the reason of want of legal residence at the time of voting.

Mr. Hudspeth offered the following:

Resolved by the Senate, that James T. Dixon, was not a legal voter in the county of Cooper, at the late August election, and that his vote ought not to be counted for Jordan O'Bryan for State Senator.

The question on the adoption of the resolution was determined in the affirmative. Yeas 22—nays 8.

On motion of Mr. Netherton,

The yeas and nays were called for and ordered.

Those who voted in the affirmative are:

Messrs. Acock, Anderson, Blythe, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill.

Those who voted in the negative are:

Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Lucas, Mills and Netherton.

Absent, with leave, Mr. Rawlins.

Excused from voting, Messrs. Miller and O'Bryan.

The President presented a communication from James L. Minor, Secretary of the Missouri Historical Society.

Which was received and read.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act for the relief of James Lusk.

On motion, the Senate adjourned until 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Jan. 30, 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed a resolution appointing an agent to demand of the bank of the State of Missouri the unsold bonds in the possession of said bank.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

On motion of Mr. Acock,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was—20.

Absent—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Fort, Hudspeth, Mills, Monroe, Polk, Shelton and Snell.

With leave—Mr. Rawlins.

Whereupon the Sergeant at Arms was dispatched to notify the absentees, and

On motion of Mr. Acock,

All further proceedings under the call were dispensed with.

The counsel of the parties resumed the consideration of the contested election.

Mr. Miller's counsel objected to the vote of John W. Dunn, for the alleged cause that he was not a legal voter in Cooper county at the time of voting—not being a resident.

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, John W. Dunn had not a legal right to vote, in the county of Cooper, at the last August election, and that his vote ought not to be counted for Jordan O'Bryan, as State Senator.

The question on the adoption of the resolution was determined in the affirmative.

Yeas—15.—Nays—14.

On motion of Mr. Lucas,

The yeas and nays were ordered.

Those who voted in the affirmative are,

Messrs. Acock, Blythe, Fort, Hancock, Hudspeth, Johnson, Massey, Monroe, Polk, Powers, Shelton, Snyder, Thompson, Welborn and Wolfskill.

Those who voted in the negative are,

Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Jones, Lucas, Mills, Netherton and Snell.

Absent—Mr. Reese.

With leave—Mr. Rawlins.

Excused from voting—Messrs. Miller and O'Bryan.

The counsel of Mr. Miller took up the vote of Samuel McClure, which had been offered for Mr. Miller at the last August election, and rejected by the judges of election, which they contended should have been counted for Mr. Miller.

Mr. Campbell offered the following:

Resolved, That in the opinion of the Senate the vote of Samuel McClure was rightly rejected because illegal, and should not be counted for John Miller.

The question on the adoption of the resolution was determined in the affirmative.

Yeas—16.—Nays—14.

On motion of Mr. Lucas,

The yeas and nays were ordered.

Those who voted in the affirmative are,

Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, Powers, Snell and Wolfskill.

Those who voted in the negative are,

Messrs. Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Reese, Shelton, Snyder, Thompson and Welborn.

Absent with leave—Mr. Rawlins.

Excused from voting—Messrs. Miller and O'Bryan.

Mr. Miller's counsel objected to the vote of John G. Scott, and insisted that

it should not be counted for Mr. O'Bryan, because, as they alleged, he was not a legal resident of Cooper county at the time of voting.

The question was pending on the legality of said vote, when,

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *January* 31, 1845.

The Senate met pursuant to adjournment.

Mr. Monroe, from the committee of ways and means, to whom was referred a bill entitled,

An act to change the mode of assessing and collecting the revenue,

Reported the same to the Senate, and asked to be discharged from the further consideration thereof.

The report was agreed to.

Mr. Monroe, also from the same committee, to whom was referred the petition of Isaac C. Matson, reported a bill entitled,

An act to authorise Isaac C. Matson, to peddle without license.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

Mr. Reese from the committee on the judiciary to whom was referred a bill entitled,

An act to amend an act entitled an act to regulate marriages, approved Feb. 20th, 1835,

Reported it to the Senate with the recommendation that the same be rejected.

The report was read and laid on the table.

Mr. Reese, also from the same committee, to whom was referred a bill entitled,

An act to repeal an act entitled an act to provide for the sale of lands for the taxes, approved Feb. 27th, 1843,

Reported that as the same subject had been acted on by the Legislature, the committee asked to be discharged from its further consideration.

The report was agreed to.

Mr. Reese, also from the same committee, to whom was referred the House bill entitled,

An act concerning the sheriff of Cole county,

Reported to the Senate a substitute for the same entitled,

An act to authorise the sheriff of Cole county, in certain cases, to make deeds for lands sold for taxes.

The report and substitute were read and agreed to, and the substitute ordered to a third reading.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act concerning the action of Detinue.

An act regulating injunctions.

Mr. Snell, from the select committee, to whom was referred the petition of Jno. B. Sturznegger, reported a bill entitled,

An act for the relief of John B. Sturznegger.

Which was read a first time and ordered to a second reading.

On motion of Mr. Hudspeth,

Resolved, That the Secretary of State be requested to furnish the Senate with an abstract of all the votes cast at the late August election, for State Senator in the 21st Senatorial district, composed of the county of Cooper, as returned to his office from said district.

Mr. Miller, on leave, introduced a bill entitled,

An act to provide for the purchase of a certain claim on the land selected for the Seat of Government.

Which was read a first time, the rule suspended,

Read a second time,

And referred to the committee on the judiciary.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The following bills have been introduced in the House of Representatives:

An act to incorporate the city of Hannibal.

An act for the benefit of married women and their children.

An act for the relief of William A. Sallee.

An act amendatory of an act concerning mills, millers and the rates of toll, approved March 19th, 1835.

The House of Representatives has rejected the bill entitled,

An act to change the line between Howard and Chariton counties.

The following bills have passed the House of Representatives:

An act to incorporate the city of Glasgow.

An act to establish a State road from Independence to Wayne City, in Jackson county.

An act to change a State road in Jackson county.

An act to extend a State road from Mexico to Huntsville.

An act for the benefit of John Fawcett and others.

An act to change a State road in Jackson and Van Buren counties.

An act to incorporate the Fire Warden's of St. Louis.

The Speaker has signed the enrolled bills entitled,

An act to mark out a state road from Tippecanoe to Alexandria.

An act for the relief of John A. Dougherty and others,

An act to repeal an act for the benefit of Joseph Howdeshell, jr. approved Feb. 22, 1843.

An act supplementary to an act to incorporate the city of Warsaw, approved February 23, 1843.

An act to declare certain rivers public highways.

An act for the benefit of Thomas H. Loyd.

An act to establish free ferries across Salt river.

An act to repeal an act to provide for the sale of land for taxes, approved Feb. 27, 1843.

An act to view and mark out a state road in Marion and Shelby counties.

An act to legalize the erection of a dam across Cowskin or Elk river.

An act to view and mark out a State road from Donahoe's lane, in Boone county, to Parsons' in Cooper county.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

On motion of Mr. Mills,

A call of the House was ordered.

The roll being called.

The number of Senators answering to their names was 28.

Absent, Messrs. Ellis and Massey.

With leave, Mr. Rawlins.

Absent as agent of the State to the Bank, Mr. Fort.

Sick, Mr. Anderson.

Whereupon the Sergeant-at-Arms was dispatched to notify the absentees.

On motion of Mr. Hudspeth,

All further proceedings under the call were dispensed with.

The counsel of the parties resumed the consideration of the contested election.

The vote of John G. Scott being under consideration,

Mr. Reese offered the following:

Resolved by the Senate, That the vote of John G. Scott, given at the last August election, for Jordan O'Bryan, for State Senator, is an illegal vote and that it be not counted for Jordan O'Bryan.

The question on the adoption of the resolution was determined in the affirmative.

Yeas—16. Nays—12.

On motion of Mr. Netherton the yeas and nays were ordered.

Those who voted in the affirmative are,

Messrs. Acock, Blythe, Detchemendy, Hancock, Hudspeth, Johnson, Massey, Monroe, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill.

Those who voted in the negative are,

Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Jones, Lucas, Mills, Netherton and Snell.

Absent with leave Mr. Rawlins.

Agent for the State to the bank—Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick—Mr. Anderson.

The President laid before the Senate a communication from the Secretary of State, transmitting an abstract of all the votes cast at the late August election in the county of Cooper, for State Senator, in compliance with a resolution adopted by the Senate on this day.

Which was read and laid on the table.

The counsel of Mr. Miller objected to the vote of Ambrose Walton, which had been counted for Mr. O'Bryan, on the alleged ground of non-residence in the county of Cooper, at the time of voting.

Mr. Jones offered the following:

Resolved, That the vote of Ambrose Walton, given at the last August election for Jordan O'Bryan, for State Senator, is a good and legal vote, and should be counted for Jordan O'Bryan.

The question on the adoption of the resolution was determined in the affirmative. Yeas 22, nays 5.

On motion of Mr. Acock,

The yeas and nays were ordered.

Those who voted in the affirmative are:

Messrs. Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Lucas, Mills, Monroe, Netherton, Polk, Shelton, Snell, Snyder, Thompson and Wolfskill.

Those who voted in the negative are:

Messrs. Acock, Johnson, Massey, Powers and Welborn.

Absent—Mr. Reese.

With leave Mr. Rawlins.

On business with the bank as agent for the State, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick, Mr. Anderson.

Mr. Miller's counsel objected to the vote of Larkin Bennett, on the ground that he was not a legal resident of Cooper county at the time of voting for Mr. O'Bryan.

Mr. Snell offered the following:

Resolved, That in the opinion of the Senate, Larkin Bennett was a legal voter and ought to be counted for Jordan O'Bryan.

The question on the adoption of the resolution was determined in the affirmative. Yeas 16, nays 11.

On motion of Mr. Monroe,

The yeas and nays were ordered.

Those who voted in the affirmative are,

Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, Mills, Netherton, and Snell.

Those who voted in the negative are,

Messrs. Blythe, Hancock, Jones, Monroe, Polk, Powers, Shelton, Snyder, Thompson, Welborn and Wolfskill.

Absent—Mr. Reese.

With leave—Mr. Rawlins.

Excused from voting—Messrs. Miller and O'Bryan.

On business for the State as agent to the Bank—Mr. Fort.

Sick—Mr. Anderson.

Mr. Acock, from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act to incorporate the town of Hermann, in Gasconade county.

An act to survey and mark out a State road.

An act for the relief of the collector of Shannon county, for the year 1841.

An act prescribing the manner of electing United States Senators.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Harris moved a call of the House;

Which was ordered.

The roll being called called,

The number of Senators answering to their names was—19.

Absent—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Ellis, Lucas, Monroe, Polk, Reese, and Shelton.

Absent with leave—Mr. Rawlins.

On business as agent for the State to the bank—Mr. Fort.

Sick—Mr. Anderson.

The sergeant at arms was despatched to notify the absentees.

On motion of Mr. Acock,

All further proceedings under the call were dispensed with.

The counsel of the parties proceeded with the investigation of the contested election.

Mr. Miller's counsel took up the case of Allen Bayles, who they alleged was a legal voter, that he offered to vote for Mr. Miller at the late August election, and that his vote was wrongfully rejected by the judges of election.

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, Allen Bayles had a legal right to vote in the county of Cooper at the late August election, and his vote ought to have been received by the judges of the election, and counted for John Miller as State Senator.

The question on the adoption of the resolution was determined in the affirmative. Yeas 23, nays 4.

On motion of Mr. Monroe,

The yeas and nays were ordered.

Those who voted in the affirmative are:

Messrs. Acock, Blythe, Boggs, Detchemendy, Ellis, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Monroe, Netherton, Polk, Powers, Reese, Snell, Snyder, Thompson Welborn and Wolfskill,

Those who voted in the negative are:

Messrs. Campbell, Calhoun, Gentry and Mills.

Excused from voting, Messrs. Miller and O'Bryan.

Absent, with leave, Mr. Rawlins.

On business as agent of the State to the bank, Mr. Fort.

Sick, Messrs. Anderson and Shelton.

Mr. Miller's counsel objected to the vote of James Poindexter, who voted for Mr. O'Bryan, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Monroe submitted the following:

Resolved, That James Poindexter was not, in the opinion of the Senate, a legal voter in Cooper county, at the August election in 1844, and that his vote ought not to be counted for Jordan O'Bryan for State Senator.

The question on the adoption of the resolution was determined in the affirmative. Yeas 14, nays 11.

On motion of Mr. Mills,

The yeas and nays were ordered.

Those who voted in the affirmative are:

Messrs. Acock, Detchemendy, Hancock, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Reese, Snyder, Thompson, Welborn and Wolfskill.

Those who voted in the negative are:

Messrs. Blythe, Boggs, Campbell, Calhoun, Gentry, Harper, Harris, Lucas, Mills Netherton and Snell.

Excused from voting—Messrs. Miller and O'Bryan.

Absent with leave—Mr. Rawlins.

On business as agent for the State to the bank, Mr. Fort.

Absent, Mr. Ellis.

Sick, Messrs. Anderson, Massey and Shelton.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

SATURDAY MORNING, February 1, 1845.

The Senate met pursuant to adjournment.

Mr. Hudspeth presented the petition of John Highly, and sundry citizens of Washington county, praying the passage of a law, authorizing the said John Highly to peddle dry goods without license.

Which was read and referred to a select committee, consisting of Messrs. Hudspeth, Polk and Jones.

Mr. Boggs presented the remonstrance of sundry citizens of Jackson county, remonstrating against the change of the State road leading from Independence, in Jackson county, to Harrisonville in Van Buren county.

Which was referred to a select committee consisting of Messrs. Boggs, Ellis, Acock, Powers and Harris.

Mr. Monroe, from the committee of ways and means, to whom was referred a bill entitled,

An act for the benefit of Thomas R. Shaw,

Reported it to the Senate, and for the reason that a bill on the same subject, originating in the House of Representatives, has passed the Senate, asked that the committee be discharged from the further consideration of the subject.

The report was agreed to.

Mr. Monroe, also from the same committee, to whom was referred the House bill entitled,

An act for the relief of William J. Tutt, collector of Morgan county,

Reported it to the Senate, and asked that the committee be discharged from the further consideration of the subject, for the reason that the said Tutt had made a full settlement of his accounts and obtained a quietus therefor.

The report was agreed to.

Mr. Jones, on leave, introduced a bill entitled,

An act supplementary to an act entitled an act concerning marriage contracts, approved January 22, 1835,

Which was read a first time, and ordered to a second reading.

On motion of Mr. Polk,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 26.

Absent, Messrs. Boggs, Calhoun, Harris and Johnson.

With leave, Mr. Rawlins.

As agent of the State to the bank, Mr. Fort.

Sick, Mr. Shelton.

The Sergeant-at-Arms was despatched to notify the absentees.

On motion, all further proceedings under the call were dispensed with.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

MR. PRESIDENT:

The following bills have been introduced into the House of Representatives:

An act for the relief of Littleton L. Roberts.

An act to establish a state road from Plattsburgh in Daviess county, to St. Josephs in Buchanan county.

The House has passed the following bills:

An act to establish a state road from Brunswick in Chariton county, to Savannah in Andrew county, through Kingston; Far West and Rochester.

An act to establish a state road from Georgetown to Lexington.

An act to establish a state road from Carrollton by way of Knoxville, to Plattsburgh.

The House has passed the Senate bill entitled:

An act to authorise the county court of Boone county to pay certain monies to the Callaway county court.

The House has rejected the bill entitled:

An act for the relief of Bryan McClinder.
An act to protect game in St. Louis county.

The counsel of the parties resumed the consideration of the contested election.
Mr. Miller's counsel took up the vote of Andrew Reed.

On motion of Mr. Anderson,

Resolved, That the vote of Andrew Reed, offered at the polls for John Miller, and rejected by the judges of election as not a legal vote, be not now counted to nor deducted from the said John Miller.

The counsel of Mr. Miller, objected to the vote of John Glazier, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Monroe submitted the following:

Resolved, That John Glazier, was a legal voter at the last August election, and should be counted for Jordan O'Bryan as State Senator.

The question on the adoption of the resolution was determined in the affirmative.

Yeas—28. *Nays*—none.

On motion of Mr. Snell,

The yeas and nays were ordered.

Those who voted in the affirmative are,

Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Mills, Monroe, Netherton, Polk, Powers, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill.

Absent with leave—Mr. Rawlins.

As agent of the State to the bank—Mr. Fort.

Excused from voting—Messrs. Miller and O'Bryan.

Sick—Mr. Shelton.

The counsel of Mr. Miller objected to the vote of George H. Estes, on the ground of a want of legal residence in Cooper county, at the time of voting.

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, George H. Estes had a legal right to vote in the county of Cooper, at the late August election, and his vote ought to be counted for Jordan O'Bryan.

The question on the adoption of the resolution was determined in the affirmative.

Yeas—17. *Nays*.—11.

On motion of Mr. Netherton,

The yeas and nays were ordered.

Those who voted in the affirmative are:

Messrs. Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Jones, Lucas, Mills, Netherton, Reese, Snell and Welborn.

Those who voted in the negative are:

Messrs. Acock, Anderson, Hancock, Johnson, Massey, Monroe, Polk, Powers, Snyder, Thompson and Wolfskill.

Absent with leave, Mr. Rawlins.

On business as agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.
Sick, Mr. Shelton.

On motion of Mr. Monroe, the case of the contested election was passed over.

Mr. Monroe, from the select committee appointed to make arrangements for celebrating the 8th of January, 1845, reported a copy of the address of the Hon. John I. Campbell, delivered in the hall of the House of Representatives on that day, and recommended to the two Houses, that five thousand copies of the same be ordered to be printed in pamphlet form, and that two thousand five hundred copies thereof be furnished each House, for the use of its members; and the committee further recommend that the two Houses, instruct the committee to forward to General Andrew Jackson, a copy of said address.

The report was read and agreed to.

Mr. Lucas offered the following, which was adopted:

The Senate having been informed of the death of Mrs. Hyatt, consort of Frederick Hyatt, a member of the House of Representatives from St. Louis county, and formerly a member of the Senate of this State, and for many years a member of the General Assembly, therefore,

Resolved That out of respect for the deceased, and the bereaved husband, the Senate do now adjourn until Monday morning at 9 o'clock, and that we will as a body, attend the funeral when it shall take place.

So the Senate adjourned accordingly.

MONDAY MORNING, Feb. 3, 1845.

The Senate met pursuant to adjournment.

Mr. Acock, from the committee on enrolled bills, reported as truly enrolled, bills entitled:

An act concerning witnesses.

An act respecting saline lands.

An act concerning advertisements.

An act regulating the action of account.

Mr. Monroe, from the committee of ways and means, made the following report:

The committee of ways and means to whom was referred the petition of William E. Rogers and others, holders of the bonds of the State of Missouri, to wit: \$2,300,000 in bonds of \$100 each bearing interest at the rate of 8 per cent. per annum, and \$25,000 in bonds of the same size, bearing ten per cent interest.

We are informed by the petitioners that the bank has endorsed these bonds with the words "*without recourse*," calculated, if not intended by the bank, to disparage the credit of the State, by exciting the suspicion abroad that some good reason known to the bank, but unknown to the public, exists for such endorsements.

The bond holders set forth that in addition to the prejudicial effect of the endorsement, the size of the bonds depreciated their value, and pray the General Assembly to permit them to surrender those bonds, and in lieu thereof, receive others of a larger denomination, and propose to pay all expenses attending the exchange.

I am instructed by the committee to report the accompanying bill, entitled,
An act to provide for the surrender and cancellation of certain bonds of the

State of Missouri, and for the issue of other equivalent bonds therefor.

The bill was read a first time, and ordered to a second reading.

Mr. Monroe, from the select committee, appointed by the two houses to make arrangements for celebrating the 8th of January, 1845, reported a bill entitled, an act to defray the expenses of the 8th of January, 1845.

Which was read a first time, the rules suspended and read a second time.

Mr. Monroe moved to amend as follows:

In the 5th section, after the word "cannon," insert the following:

"To wit, Benjamin Hughes, Francis Ward, William Ferguson, William Douglass and Charles Moller.

Which was read and agreed to, and the bill as amended was ordered to be engrossed.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act to establish and regulate the Penitentiary.

An act regulating the action of replevin.

Mr. Hancock, on leave, introduced a bill entitled:

An act to authorize the payment of certain costs.

Which was read a first time, the rule suspended, read a second time, and referred to the committee on claims.

The following bills were severally introduced, on leave of the Senate, read a first time, and ordered to a second reading:

By Mr. Monroe,

An act declaring a certain county road a state road.

By Mr. Jones,

An act to appropriate money for the improvement of state roads.

On motion of Mr. Monroe,

Resolved, That a select committee of seven be appointed to investigate the claim of Solomon L. Leonard as commissioner for locating lands, under the act for selecting the balance of the five hundred thousand acre grant, approved February 27th. 1843, and to report a bill for his pay.

Whereupon the President announced Messrs. Monroe, Welborn, Johnson, Acock, Jones, Lucas and Campbell, as the committee under said resolution.

Mr. Jones asked and obtained leave of absence for Mr. Massey for a few days.

Mr. Acock submitted the following:

Resolved by the Senate, That they will not entertain any new business after the 10th day of this month except from standing committees.

Which, under the rule, lies one day on the table.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

A resolution entitled,

Joint resolution on the subject of the naturalization laws,

Has been introduced in the House of Representatives.

The House of Representatives has refused to pass the bill entitled,

An act respecting the northern boundary of the State,

(Returned by the Governor with his objections thereto) notwithstanding said objections by ayes and noes.

Ayes 15. *Noes* 62. *Absent* 21.

The Speaker has signed the enrolled bills entitled:

An act to incorporate the town of Hermann in Gasconade county.

An act concerning advertisements.

An act regulating the action of account.

An act respecting saline lands.

An act concerning witnesses.

An act to survey and mark out a state road.

An act prescribing the manner of electing United States Senators.

An act for the relief of the collector of Shannon county for the year 1841.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

The counsel of the parties resumed the investigation of the contested election.

The counsel of Mr. Miller objected to the vote of Thomas Bailey on the ground that he was an alien at the time of voting.

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, Thomas Bailey had a legal right to vote at the late August election, in the county of Cooper, and that his vote ought to be counted for Jordan O'Bryan for State Senator.

The question on the adoption of the resolution was determined in the affirmative.

Yeas.—23. *Nays*.—6.

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Mills, Netherton, Rawlins, Reese, Shelton, Snell, Welborn and Wolfskill

Those who voted in the negative are:

Messrs. Campbell, Monroe, Polk, Powers, Snyder and Thompson.

Absent with leave—Mr. Massey.

On business as agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

The counsel of Mr. Miller objected to the vote of Wm. Tucker, on the ground that he was not a legal resident of Cooper county at the time of voting:

Mr. Campbell offered the following:

Resolved, That in the opinion of the Senate, Wm. Tucker was a legal voter, and his vote ought to be counted for Jordan O'Bryan.

The question on the adoption of the resolution was determined in the affirmative.

Yeas.—28. *Nays*.—None.

Those who voted in the affirmative are:

Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Johnson, Jones, Lucas, Mills, Monroe, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill.

Absent, Mr. Hudspeth.

With leave, Mr. Massey.

Absent on business as agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

The counsel of Mr. Miller objected to the vote of Charles A. Jones, on the ground of want of legal residence in Cooper county at the time of voting.

Mr. Hudspeth offered the following:

Resolved by the Senate, That Charles A. Jones, had not a legal right to vote, in the county of Cooper, at the late August election, and his vote ought not to be counted for Jordan O'Bryan, for State Senator.

The question on the adoption of the resolution was determined in the affirmative. Yeas 17—nays 12.

Those who voted in the affirmative are:

Messrs. Acock, Blythe, Boggs, Calhoun, Hancock, Hudspeth, Johnson, Jones, Monroe, Polk, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill.

Those who voted in the negative are,

Messrs. Anderson, Campbell, Detchemendy, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, Powers and Snell.

Excused from voting—Messrs. Miller and O'Bryan.

Absent with leave—Mr. Massey.

As agent of the State to the bank—Mr. Fort.

Mr. Miller's counsel objected to the vote of Jerry Yarnall, on the ground that he was not of the legal age, at the time of voting.

Mr. Welborn offered the following:

Resolved by the Senate, That Jerry Yarnal was not a legal voter at the late August election in Cooper county, and that his vote ought not to have been counted for Jordan O'Bryan.

The question on the adoption of the resolution was determined in the negative.

Yeas—13.—Nays—16.

Those who voted in the affirmative are:

Messrs. Acock, Anderson, Hancock, Hudspeth, Johnson, Jones, Polk, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn.

Those who voted in the negative are,

Messrs. Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Lucas, Mills, Monroe, Netherton, Powers, Snell and Wolfskill.

Absent with leave, Mr. Massey.

As agent of the State to the bank, Mr. Fort.

Excused from voting—Messrs. Miller and O'Bryan.

On motion, the Senate adjourned until 2 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to incorporate the town of Herman in Gasconade county.

An act concerning advertisements.

An act regulating the action of account.

An act respecting saline lands.

An act concerning witnesses.

An act to survey and mark out a state road.

An act prescribing the manner of electing United States Senators.

An act for the relief of the collector of Shannon county for the year 1841.

On motion of Mr. Monroe;

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was—23.

Absent—Messrs. Anderson, Boggs, Ellis, Lucas, Reese, Shelton and Thompson.

With leave—Mr. Massey,

As agent for the State to the bank, Mr. Fort.

The Sergeant at Arms was dispatched to notify the absentees, and

On motion of Mr. Netherton,

All further proceedings under the call were dispensed with.

The counsel of the parties resumed the consideration of the contested election.

The counsel of Mr. Miller having concluded their objections,

Mr. O'Bryan's counsel objected to the vote of Lewis Eager which had been counted for Mr. Miller, on the ground that it had been illegally taken.

Mr. Reese offered the following:

Resolved, That the vote of Lewis Eager, cast for John Miller, for State Senator, is illegal and ought not to be counted for said Miller.

Mr. Monroe offered the following substitute:

Resolved, In the opinion of the Senate, that notwithstanding the taking of L. Eager's vote was not exactly in conformity with the letter of the law regulating elections; yet as his vote was recorded by the lawful officers, and there being no complaint on the part of Mr. O'Bryan of fraud, and that there being no evidence that Mr. Eager was not a qualified voter in Cooper county, therefore, said Eager's vote should be counted for John Miller.

The question on the adoption of the substitute was determined in the negative.

The question then recurred on the adoption of the resolution offered by Mr. Reese,

And was determined in the affirmative.

Yeas—22. *Nays*—5.

Those who voted in the affirmative are,

Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Mills, Netherton, Rawlins, Reese, Shelton, Snell, Thompson, Welborn and Wolfskill.

Those who voted in the negative are:

Messrs. Jones, Monroe, Polk, Powers and Snyder.

Absent Mr. Ellis.

With leave, Mr. Massey,

As agent for the State to the Bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick, Mr. Detchemendy.

The counsel of Mr. O'Bryan, objected to the vote of Mathew Rankin, which was admitted to be bad by Mr. Miller's counsel.

On motion of Mr. Monroe,

Resolved, That the vote of Mathew Rankin, being admitted by the contestor's counsel, to be not good, therefore should not be counted for John Miller.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The Speaker of the House of Representatives has signed the resolution entitled,

An act to provide for the organizing of counties hereafter established.

An act to incorporate the Weston Light Lodge No. 6 of the Independent Order of Odd Fellows, of Weston, Platte county, Missouri.

An act to incorporate the Missouri Institute of Sciences.

An act to establish a state road from Warsaw to Fort Scott.

An act respecting townships.

An act to repeal an act respecting strays in Jefferson county, approved Feb. 25th, 1843.

An act for the relief of Jefferson county.

An act to establish the boundary line between Franklin and Jefferson counties.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

The counsel of Mr. O'Bryan objected to the vote of James McAlister, on the ground that he was an alien at the time of voting.

Mr. Reese offered the following;

Resolved, That the vote of James McAlister, cast for John Miller, for State Senator, is illegal, and ought not to be counted for said John Miller.

The question on the adoption of the resolution was determined in the negative.

Yeas—12. *Nays*—14.

Those who voted in the affirmative are,

Messrs. Anderson, Boggs, Campbell, Gentry, Hancock, Harris, Mills, Monroe, Powers, Reese, Snell, and Thompson.

Those who voted in the negative are:

Messrs. Acock, Blythe, Calhoun, Harper, Hudspeth, Johnson, Jones, Netherton, Polk, Rawlins, Shelton, Snyder, Welborn and Wolfskill.

Absent, Messrs. Ellis and Lucas.

With leave—Mr. Massey.

As agent of the State to the bank, Mr. Fort.

Sick, Mr. Detchemendy.

Excused from voting, Messrs. Miller and O'Bryan.

Mr. O'Bryan's counsel objected to the vote of Thomas Drinkwater.

On motion of Mr. Netherton,

Resolved, in the opinion of the Senate, that Thomas Drinkwater, who voted for John Miller, at the last August election, had no legal right to vote, and his vote should not be counted for John Miller.

The counsel of Mr. O'Bryan objected to the votes of William Ross and William Moon on the ground that they were persons of unsound mind at the time of voting.

Mr. Shelton submitted the following:

Resolved, That the vote cast by Wm. Moon, at the late August election, for John Miller for State Senator, is legal and ought to be counted for said Miller.

The question on the adoption of the resolution, was determined in the affirmative:

Yeas—26. *Nays*—1.

Those who voted in the affirmative are:

Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Mills Monroe, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill.

In the negative. Mr. Campbell.

Absent, Mr. Ellis.

Absent, with leave, Mr. Massey.

As agent for the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick, Mr. Detchemendy.

Mr. Hudspeth submitted the following:

Resolved, That in the opinion of the Senate, William Ross was a legal voter in Cooper county, at the late August election, and his vote ought to be counted for John Miller as State Senator.

The question on the adoption of the resolution was determined in the affirmative.

Yeas—19. *Nays*—8.

Those who voted in the affirmative are:

Messrs. Acock, Anderson, Blythe, Gentry, Hancock, Harper, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill.

Those who voted in the negative are:

Messrs. Boggs, Campbell, Calhoun, Harris, Lucas, Mills, Netherton and Snell.

Absent, Mr. Ellis.

With leave, Mr. Massey.

As agent for the State to the bank, Mr. Fort.

Sick, Mr. Detchemendy.

Excused from voting, Messrs. Miller and O'Bryan.

On motion, the Senate adjourned, until to-morrow morning at 9 o'clock.

TUESDAY MORNING, *February 4, 1845.*

The Senate met pursuant to adjournment.

Mr. Monroe presented the memorial of sundry citizens of St. Louis county, asking for the separation of the offices of county clerk and county recorder, of said county.

Which was read and referred to a select committee consisting of Messrs. Monroe, Mills, Lucas, Hudspeth and Shelton.

Mr. Miller presented the petition of Messrs. Gordon & Burch, praying the Legislature to compensate them for erecting an Academy on certain lots, conditionally donated to the Trustees of the City of Jefferson, but which have since reverted to the State.

Which on motion, was referred to a select committee consisting of Messrs. Miller, Blythe and Anderson.

Mr. Reese, from the committee on the Judiciary, to whom was referred the resolutions in relation to donating two brass field pieces to the Oregon emigrants, from this State, reported them to the Senate, with the recommendation that the same be rejected.

The report was read and agreed to.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act to defray the expenses of celebrating the 8th of January, 1845.

Mr. Wolfskill, on leave, introduced a bill entitled,

An act to authorize the county court of Grundy county to sell sixteenth sections.

Which was read a first time, the rule suspended, read a second time, and ordered to be engrossed, and read a third time on Monday next.

On motion of Mr. Monroe,

The bill entitled,

An act to defray the expenses of celebrating the 8th of January, 1845,

Was taken up, read a third time and passed.

On motion of Mr. Hudspeth,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 28.

Absent, Mr. Lucas.

Absent with leave, Mr. Massey,

As agent of the State to the bank, Mr. Fort.

Sick, Messrs. Acock and Rawlins.

The Sergeant-at-Arms was dispatched to notify Mr. Lucas, and

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Welborn,

The investigation of the contested election from the 21st Senatorial district, was passed over until to-morrow.

On motion of Mr. Monroe,

Resolved, That the committee on revision, on the part of the Senate, be instructed to use their best exertions to engraft on the revised bills on Trespasses, such provisions as will more fully protect private property from depredations committed by irresponsible persons.

The following bills were severally read a second time and ordered to be engrossed and read a third time to-morrow:

An act to establish a state road.

An act for the relief of John B. Stürznegger.

An act to provide for the surrender and cancellation of certain bond of the State of Missouri, and for the issue of other equivalent bonds therefor.

An act declaring a certain county road a State road.

The following was read a second time and referred to the committee on the judiciary.

An act supplementary to an act entitled an act concerning marriage contracts, approved Jan. 22d, 1835.

The bill entitled,

An act allowing suits against officers for services rendered under illegal orders,

Was read a third time, and the question on its passage was determined in the affirmative:

Yeas—17.—*Nays*—7.

On motion of Mr. Monroe,

The yeas and nays were ordered.

Yeas—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Harper, Hudspeth, Jones, Lucas, Miller, Mills, O'Bryan, Snell, Snyder, Thompson, and Welborn.

Nays—Messrs. Gentry, Hancock, Harris, Johnson, Monroe, Polk, and Powers.

Absent—Messrs. Ellis, Netherton, Reese, Shelton and Wolfskill.

With leave—Mr. Massey.

Agent of the State to the bank—Mr. Fort.

Sick—Messrs. Acock and Rawlins.

The following bills were severally read a third time and passed:

An act to recover public records.

An act regulating the action of replevin,

An act to restrain gaming.

An act to provide for the election of justices of the peace, and to prescribe their powers and duties.

An act regulating writs and process.

An act concerning the action of Detinue.

An act to provide for reporting the decisions of the Supreme court.

An act regulating injunctions.

An act to establish and regulate the Penitentiary.

The following House bills were severally read a third time, and passed.

An act concerning the plats of towns and villages, and

An act to authorise the sheriff of Cole county, in certain cases, to make deeds for lands sold for taxes,

As a substitute for the House bill entitled,

An act concerning the sheriff of Cole county.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President:

The following bills have been introduced into the House of Representatives:

An act for the benefit of Gasconade county.

An act amendatory of an act to incorporate the city of Boonville, approved Feb. 8th, 1839.

An act to regulate proceedings in attachment.

An act for the relief of Major M. Johnson.

An act for the relief of Geo. H. C. Melody and Cornelius Campbell.

An act for the relief of Josiah Dejernet.

An act to amend an act to incorporate the St. Louis Fire company.

An act to define the southern boundary line of Shelby county.

An act to limit partnerships.

An act concerning collectors of the revenue.

An act to refund certain money to the county of Van Buren.

Joint resolution restricting the salaries of bank officers.

The following bills have passed the House of Representatives:

An act to change the name of Maria Coffee and for other purposes.

An act declaring a certain road in Holt county a State road.

An act for the benefit of Brice W. Hammock of Lincoln county.

An act to change a portion of the line dividing Camden and Miller counties.

An act to protect game in the county of St. Louis.

An act for the relief of the collector of Miller county.

An act to view and mark out a State road in Jackson county.

An act relative to the permanent seat of justice of Taney county.

An act for the relief of Isaac N. Ebey, collector of Adair county.

An act to authorize the election of a justice of the peace within the limits of Cape Girardeau city.

An act for the benefit of Benjamin Thorp, a free man of color.

An act supplemental to "an act to authorize the county court of Wayne county to borrow money," approved Jan. 14th. 1845.

Joint resolution in relation to the imprisonment for treason of Gov. T. W. Dorr, of Rhode Island.

Memorial to Congress respecting the sale of fractions of land adjoining French and Spanish concessions.

On motion of Mr. Monroe,

The order of business was passed over, and the Senate recurred to the order of reports from standing committees.

Mr. Monroe, from the committee of ways and means, to whom was referred a bill entitled,

An act for the relief of A. A. Laforge,

Reported it to the Senate and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

On motion, the Senate passed to the order of reports from select committees.

Mr. Monroe, from the select joint committee, appointed by the two Houses, with instructions to enquire what improvements are necessary in and about the Capitol to promote the health and comfort of the members of the General Assembly, reported

That the committee had performed that duty, and had directed him to report that in their opinion the strong current of cold air that is met in passing out of either House into the rotunda, is one of the causes of the severe colds and other diseases that have afflicted the members; to remedy which they had instructed him to report the accompanying bill, entitled,

An act to provide for the comfort and health of the members and officers of the General Assembly.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

On motion of Mr. Welborn,

The vote on the passage of the bill entitled,

An act to provide for the election of justices of the peace and to prescribe their powers and duties,

Was reconsidered.

Mr. Welborn moved to amend by way of rider as follows:

To come in as an additional section.

Sec. 32. That every justice of the peace before entering upon the duties of his office, shall enter into bond to the county for the sum of at least three hundred dollars, and not more than one thousand dollars, with two securities, to be approved by the county court, conditioned for the faithful performance of his duties of the office.

Which was read, and

On motion of Mr. Hudspeth,

Rejected by the following vote:

Yeas.—Messrs. Anderson, Blythe, Boggs, Campbell, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Lucas, Miller, Mills, Monroe, Netherton, O'Bryan, Powers, Shelton, Snell and Wolfskill—21.

Nays.—Messrs. Calhoun, Johnson, Polk, Reese, Snyder, Thompson and Welborn—7.

Absent—Mr. Detchemendy.

With leave Mr. Massey.

Agent of the State to the bank—Mr. Fort

Sick—Messrs. Acock and Rawlins.

The question recurred on the passage of the bill, which was determined in the affirmative.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 4. 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act prescribing the manner of electing United States Senators.

An act for the relief of the collector of Shannon county for the year 1841.

An act concerning advertisements.

An act regulating the action of account.

An act respecting saline lands.

An act concerning witnesses.

An act to incorporate the town of Hermann, in Gasconade county.

An act to survey and mark out a state road.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

The following bills from the House of Representatives were severally read a first time and ordered to a second reading:

An act to provide for the protection of land and personal property.

An act for the relief of the heirs of Daniel Clare.

An act to establish a state road from Georgetown to Lexington.

An act to incorporate the city of Glasgow.

An act to extend a State road from Mexico to Huntsville.

The following were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act to change a state road in Jackson county.

Referred to a select committee to whom was referred a remonstrance from Jackson county on the same subject.

An act to establish a state road from Brunswick in Chariton county, to Savannah in Andrew county, through Kingston; Far West and Rochester.

Referred to a select committee consisting of Messrs. Thompson, Reese and Campbell.

An act to establish a state road from Carrolton by way of Knoxville, to Plattsburgh.

Referred to a select committee consisting of Messrs. Ellis, Blythe and Wolfskill.

The following bills from the House of Representatives, were read a first time, the rule suspended on motion of Mr. Boggs, and read a second and third time and passed.

An act to change a State road in Jackson and Van Buren counties.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The following House bills were severally read a first time, and ordered to a second reading.

An act to view and mark out a State road in Jackson county.

An act to establish a State road from Independence to Wayne City, in Jackson county.

An act for the benefit of John Fawcett and others.

An act supplemental to an act to authorise the county court of Wayne county to borrow money, approved January 14th, 1845.

An act to authorise the election of a justice of the peace within the limits of Cape Girardeau city.

An act to change a portion of the line dividing the counties of Camden and Miller.

An act for the benefit of Brice W. Hamnock of Lincoln county.

An act declaring a certain county road in Holt county a State road.

Joint resolutions in relation to the imprisonment for treason, of Gov. T. W. Dorr of Rhode Island, and

Memorial to Congress requesting the sale of fractions of land adjoining French and Spanish concessions.

The following House bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act to incorporate the Fire Wardens of the city of St. Louis.

Ordered to a third reading on Thursday.

An act for the benefit of Benjamin Tharp, a free man of color,
Referred to a select committee, consisting of Messrs. Boggs, Calhoun and Ellis.

The House bill entitled,

An act to protect game in the county of St. Louis,

Was read a first time, and

On motion of Mr. Monroe,

Was rejected.

The following House bills were severally read a first time, the rule suspended, and read a second time, the rule further suspended, and read a third time and passed:

An act for the relief of Isaac N. Ebey, collector of Adair county.

An act relative to the permanent seat of justice of Taney county.

An act for the relief of the clerk of Miller county.

An act to change the name of Maria Coffee, and for other purposes.

The amendments of the House to the Senate bills entitled:

An act to enable persons held in slavery to sue for their freedom.

An act respecting seed horses, and

An act concerning mills and mill dams,

Were severally taken up and concurred in.

The amendments of the House to the Senate bill entitled,

An act respecting constables,

Were taken up, and on motion, the first and second amendments were concurred in by the Senate, and

On motion of Mr. Monroe,

The bill was laid on the table until Monday next.

The amendments of the House to the Senate bill entitled,

An act concerning divorce and alimony,

Was taken up and read.

Mr. Monroe moved to amend the first amendment as follows:

Add the following to the House amendment: "This act shall be in force from and after its passage.

Which was read and agreed to,

And the amendments of the House as amended, were concurred in.

On motion of Mr. Campbell,

The Senate receded from its amendment to the House bill entitled,

An act to regulate actions on penal bonds.

Mr. Mills, from the select committee to whom was referred a bill to repeal an act entitled:

An act concerning landlords and tenants in the county of St. Louis,

Reported a substitute for the same entitled,

An act concerning landlords and tenants in the county of St. Louis.

The report and substitute were read and agreed to, and

On motion, the rule was suspended, and the bill as amended was read a third time and passed.

Mr. Hancock, from the committee on claims, to whom was referred a bill to authorize the payment of certain costs, reported a substitute entitled,

An act to provide for the payment of certain costs.

The report and substitute were read and agreed to, and,

On motion, the rule was suspended, and the bill as amended was read a third time and passed.

Mr. Ellis, from the select committee to whom was referred the bill entitled,

An act to establish a State road from Carrollton, by way of Knoxville and Plattsburgh,

Reported it to the Senate with an amendment, and recommended its passage.

On motion, the rule was suspended, and the bill read a third time and passed.

On motion of Mr. Monroe,

The Senate resolved itself into committee of the whole,

Mr. Monroe in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act to provide for the removal of seats of justice.

An act respecting wills.

An act to provide for the change of venue in civil cases.

An act relating to the distribution of the road and canal fund.

Had agreed to the same without amendment, and instructed him to report them to the Senate for its further action thereon.

Also, a bill entitled,

An act to regulate marks and brands.

Had amended the same, agreed to it as amended, and had instructed him to report the same to the Senate for further action. Also,

An act to authorize the Secretary of State to purchase certain maps for the use of the officers of State,

And had instructed him to recommend to the Senate the rejection of the bill.

Mr. Miller moved to disagree to so much of the report as recommends the rejection of the bill entitled,

An act to authorize the Secretary of State to purchase certain maps for the use of the officers of State.

The question on disagreeing to that portion of the report was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Harper, Hudspeth, Johnson, Jones, Lucas, Miller, Mills, Monroe, Netherton, O'Bryan, Powers, Snell, Thompson and Welborn—19.

Nays.—Messrs. Blythe, Gentry, Hancock, Harris, Polk, Shelton, and Snyder—7.

Absent Messrs. Detchemendy, Reese, and Wolfskill.

With leave Mr. Massey

Agent for the State to the bank—Mr. Fort.

Sick—Messrs. Acock and Rawlins.

The question on agreeing to the remainder of the report was determined in the affirmative.

On motion of Mr. Monroe,

The bills entitled,

An act to provide for the removal of seats of justice,

An act respecting wills,

An act to provide for the change of venue in civil cases,

Were severally ordered to be engrossed and read a third time.

Mr. Monroe moved to amend the bill entitled,

An act to authorize the Secretary of State to purchase certain maps for the use of the officers of State, as follows:

In the fifth line of the 1st section between the word "treasurer" and "register" insert the word "and," and strike out all after the word land in the fifth line.

Which was read and agreed to,

And the bill as amended was ordered to a third reading.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, *February 5, 1845.*

The Senate met pursuant to adjournment.

Mr. Shelton presented the petition of sundry citizens of St. Charles county, and a communication from Carey M. Duncan of Lincoln county, praying an appropriation for the improvement of the navigation of the river Aux Cuivre.

Which was referred to the committee on internal improvements.

Mr. Hudspeth, from the select committee, to whom was referred the petition of John Highly, sen., and sundry other citizens of Washington county, reported a bill entitled,

An act for the benefit of John Highley, sen.,

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and ordered to a third reading.

Mr. Jones, from the select committee, to whom was referred the petition of divers citizens of the corporation of the town of Washington in Franklin county, reported a bill entitled,

An act for the benefit of the corporation of the town of Washington in Franklin county.

Which was read a first time and ordered to a second reading.

Mr. Polk, on leave, introduced,

A memorial to congress in relation to the graduation of the price of the public lands.

Which was read a first time and ordered to a second reading.

Mr. Thompson, on leave, introduced a bill entitled,

An act to authorise Isaac Waymire to erect a mill dam.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

Mr. Netherton, on leave, introduced a bill entitled,

An act for the benefit of James Lone.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have been introduced in the House of Representatives:

An act to incorporate the St. Louis savings institution.

An act for the benefit of Benjamin Howard Payne.

An act to amend an act for the location and sale of the lands granted to the State by an act of Congress approved September 4, 1841, approved February 27, 1843, and for other purposes.

An act to amend an act to regulate groceries and dram shops, approved Feb. 16th, 1841.

An act for the relief of Jacob Breitenstein.

An act for the relief of Robert McCutchen and others.

An act to provide for the erection of a lunatic asylum.

The House has passed the following bills:

An act for the relief of the minor heirs of Sanford H. King, deceased.

An act to establish a State road from Savannah to Nodaway city.

An act to declare a certain road in Monroe county a state road.

An act relative to the district school township forty-four, in Cole county.

An act to authorise Geo. Hobson and Stephen Hobson to erect a dam across the river 102, and Isaac A. Larning, a dam across Platte river.

An act concerning roads and highways in the county of Wayne.

An act to incorporate the Weston Athæneum.

An act declaring Black water a public highway.

Mr. Reese moved to postpone the consideration of the contested election until Tuesday next, which was negatived.

On motion the counsel of the parties resumed the consideration of the contested election.

The counsel of Mr. O'Bryan objected to the vote of James Ray, on the ground of a want of legal residence in Cooper county, at the time of voting.

Mr. Snell submitted the following:

Resolved, That in the opinion of the Senate, James Ray was not a legal voter in the county of Cooper, at the last August election, and his vote ought not to be counted for John Miller.

The question on the adoption of the resolution was determined in the negative by the following vote:

Yeas— Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Jones, Lucas, Mills, Netherton and Snell—14.

Nays—Messrs. Detchemendy, Hancock, Hudspeth, Johnson, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—14.

Absent with leave—Mr. Massey.

As agent of the State to the bank—Mr. Fort.

Excused from voting—Messrs. Miller and O'Bryan.

Sick—Mr. Acock.

The Senate being equally divided, the President gave the casting vote in the negative.

The counsel of Mr. O'Bryan objected to the vote of James M. Walker, on the ground that he was not a legal resident of Cooper county at the time of voting:

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, James M. Walker was a legal voter at the late August election, and that his vote ought to be counted for John Miller for State Senator.

The question on the adoption of the resolution was determined in the negative by the following vote.

Yeas—Messrs. Hancock, Harper, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn—14.

Nays.—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Lucas, Mills, Netherton, Snell and Wolfskill—14.

Absent with leave—Mr. Massey.

On business as agent for the State to the bank, Mr. Fort.

Excused from voting—Messrs. Miller and O'Bryan.

Sick, Mr. Acock.

The Senate being equally divided the President gave the casting vote in the negative.

The counsel of Mr. Miller objected to the vote of Isaac Sullivan, on the ground of want of legal residence in Cooper county at the time of voting.

The question was pending on the legality of said vote, when,

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Monroe,

The investigation of the contested election was passed over for the present.

On motion of Mr. Monroe,

Resolved, That the committee to whom was referred the bill providing for the election of a Public Printer, is hereby clothed with authority to send for and compel the attendance of persons before them, and to examine the same upon oath, and for that purpose said committee are authorised to administer the necessary oaths.

On motion of Mr. Polk,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 24.

Absent, Messrs. Boggs, Ellis, Hudspeth, Shelton and Snell.

With leave, Mr. Massey.

As agent of the State to the bank, Mr. Fort.

Sick, Messrs. Acock and Rawlins.

The Sergeant-at-Arms was despatched to notify the absentees.

On motion of Mr. Shelton,

All further proceedings under the call were dispensed with:

On motion of Mr. Monroe,

Resolved, That James S. Green be excused from the duties of Assistant Secretary, during the further progress of the contested election, now pending, and that he have leave to appear in behalf of the contestor.

The counsel of the parties resumed the investigation of the contested election.

The vote of Isaac Sullivan being under consideration,

Mr. Reese offered the following:

Resolved, That Isaac W. Sullivan's vote cast for John Miller at the last August election for State Senator, is legal and ought to be counted for John Miller.

The question on the adoption of the resolution was determined in the negative, by the following vote:

Yeas—Messrs. Boggs, Polk, Reese, Shelton and Welborn—5.

Nays—Messrs. Anderson, Blythe, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Johnson, Jones, Lucas, Mills, Monroe, Netherton, Powers, Rawlins, Snell, Snyder, Thompson and Wolfskill—22.

Absent Mr. Hudspeth.

With leave, Mr. Massey.

On business as agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick, Mr. Acock.

The counsel of Mr. O'Bryan objected to the vote of Thomas Doran.

On motion of Mr. Monroe,

Resolved, That the vote of Thomas Doran, cast for John Miller for State Senator, at the last August election, being admitted to be bad by the contestor's counsel is therefore declared rejected.

The counsel of Mr. O'Bryan objected to the vote of Kemp Scott, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Jones offered the following:

Resolved, That the vote given by Kemp Scott at the last August election, for John Miller for State Senator, is a good and legal vote, and should be counted for John Miller.

The question on the adoption of the resolution was determined in the affirmative by the following vote.

Yeas—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Mills, Monroe, Netherton, Polk, Powers, Rawlins, Reese, Snell, Snyder, Thompson Welborn and Wolfskill—27.

Nays—Mr. Shelton.

Absent, with leave, Mr. Massey.

Excused from voting, Messrs. Miller and O'Bryan.

On business as agent of the State to the bank, Mr. Fort.

Sick, Mr. Acock.

The counsel of Mr. O'Bryan objected to the vote of William E. Harris, which was admitted to be bad by contestor's counsel.

On motion of Mr. Netherton,

Resolved by the Senate, That the vote given by William E. Harris, for John

Miller, at the late August election, was not legal, and should not be counted for said Miller.

The counsel of Mr. O'Bryan objected to the vote of Martin Calvert, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Campbell offered the following:

Resolved, That in the opinion of the Senate, the vote of Martin Calvert is illegal, and should not be counted for John Miller.

The question on the adoption of the resolution was determined in the affirmative by the following:

Yeas—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Lucas, Mills, Monroe, Netherton, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—26.

Nays—Messrs. Johnson and Rawlins—2.

Absent, with leave, Mr. Massey.

Absent on business as agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick—Mr. Acock.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, *February 6, 1845.*

The Senate met pursuant to adjournment.

Mr. Detchemendy presented the petition of sundry citizens of St. Francois county, praying for the repeal of an act to regulate groceries and dram shops, approved Feb 16, 1841.

Which was read and referred to the committee of ways and means.

Mr. Anderson presented the petition of Maria Carnes, praying the passage of a law, allowing her fees as a witness in a certain case in St. Louis county.

Which was read, and, on motion,

Referred to the committee on claims.

Mr. Harper, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act declaring a certain county road a state road.

An act to authorize the county court of Grundy county to sell sixteenth sections.

An act for the relief of John B. Sturznegger.

Mr. Monroe, from the committee who were instructed to enquire into what compensation should be paid Solomon L. Leonard, commissioner appointed for selecting land for the State, and to report a bill to pay him, reported a bill entitled,

An act to pay Solomon L. Leonard for selecting lands.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled:

An act to prevent certain trespasses.

An act to provide for erecting county buildings.

An act regulating enclosures.

Mr. Miller from the select committee, to whom was referred the House bill entitled,

An act to repeal an act to establish a state road from Jefferson city to the town of Hermann.

Reported a substitute entitled,

An act to abolish a certain State road.

The report and substitute were read and agreed to, and the bill as amended was ordered to a third reading.

Mr. Polk, on leave, introduced bills entitled,

An act to collect revenue on merchandise.

An act to declare a certain road a State road.

Which were read a first time, and ordered to a second reading.

Mr. Wolfskill, on leave, introduced a bill entitled,

An act to provide for the sale of certain slaves.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed and read a third time on Monday next.

On motion of Mr. Monroe,

Resolved, That the Auditor of Public Accounts report to the Senate as soon as practicable, a statement showing the dividends declared by the bank of the State of Missouri since it went into operation; also the amount of State bonds sold by the bank, the rate of interest paid to the bondholders, and the date of the negotiations of said bonds.

On motion of Mr. Monroe,

Resolved, That the committee of ways and means be instructed to report a bill to provide means to carry on the government.

The counsel of the parties proceeded with the investigation of the contested election.

Mr. O'Bryan's counsel objected to the vote of John McDuffee, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Thompson offered the following:

Resolved, That the vote of John McDuffee, given in Cooper county, at the late August election, for John Miller, was legal and ought to be counted for John Miller.

The question on the adoption of the resolution was determined in the negative, by the following vote:

Yeas.—Messrs. Hancock, Polk, Powers, Snyder, Thompson and Wolfskill—6.

Nays.—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Mills, Monroe, Netherton, Rawlins, Reese, Shelton, Snell, and Welborn—22.

Absent with leave—Mr. Massey.

On business as agent for the State to the bank—Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick—Mr. Acock.

The counsel of Mr. O'Bryan objected to the vote of George W. Berkley, on the ground of a want of legal residence in Cooper county at the time of voting.

Mr. Shelton offered the following:

Resolved, That the vote cast by George W. Berkley, at the late August election, was a legal vote and should be counted for John Miller.

The question on the adoption of the resolution was determined in the negative by the following vote:

Yeas—Messrs. Hancock, Hudspeth, Jones, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn—12.

Nays—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Johnson, Lucas, Mills, Netherton, Snell and Wolfskill—16.

Absent with leave, Mr. Massey.

On business with the bank as agent for the State, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick, Mr. Acock,

The Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The counsel proceeded with the investigation of the contested election.

Mr. O'Bryan's counsel objected to the vote of John F. Gregory.

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, John F. Gregory was not a legal voter in the county of Cooper, at the late August election, and his vote ought not to be counted for John Miller for State Senator.

The question on the adoption of the resolution, was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Mills Monroe, Netherton, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—25.

Nays—Mr. Jones—1.

Absent, Mr. Detchemendy.

Absent, with leave, Mr. Massey.

As agent for the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller, Rawlins and O'Bryan.

Sick, Mr. Acock.

The counsel of Mr. O'Bryan objected to the vote of Hugh Caverner.

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, Hugh Caverner was a legal voter of the county of Cooper, at the late August election, and his vote ought to be counted for John Miller for State Senator.

The question on the adoption of the resolution was determined in the affirmative by the following vote:

Yeas—Messrs. Blythe, Gentry, Hancock, Hudspeth, Johnson, Jones, Lucas, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—17.

Nays—Messrs. Anderson, Boggs, Campbell, Calhoun, Harper, Harris, Mills, Netherton and Snell—9.

Absent—Messrs. Detchemendy, and Ellis.

With leave—Mr. Massey.

Agent of the State to the bank—Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

Sick—Mr. Acock.

The counsel of Mr. O'Bryan took up the vote of Robert Pierce, which had been given for Mr. O'Bryan, but was rejected by the judges of election.

Mr. Netherton submitted the following:

Resolved by the Senate, That the vote of Robert Pierce, given at the late August election, was legal and ought to be counted for Jordan O'Bryan.

The question on the adoption of the resolution was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Calhoun, Gentry, Harper, Harris, Jones, Lucas, Mills, Netherton and Snell—12.

Nays—Messrs. Hancock, Hudspeth, Johnson, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—13.

Absent, Messrs. Detchemendy and Ellis.

With leave—Mr. Massey.

As agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Campbell, Miller and O'Bryan.

Sick, Mr. Acock.

The counsel of Mr. O'Bryan objected to the vote of Matthias Houx, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Polk offered the following:

Resolved by the Senate, That Matthias Houx was a legal voter at the late August election in Cooper county, and that his vote ought to have been counted for John Miller for State Senator.

The question on the adoption of the resolution was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Hancock, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—15.

Nays—Messrs. Blythe, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton and Snell—12.

Absent, Mr. Detchemendy.

With leave, Mr. Massey.

As agent of the State to the bank, Mr. Fort.

Excused from voting—Messrs. Miller and O'Bryan.

Sick, Mr. Acock.

On motion, the Senate adjourned, until to-morrow morning at 10 o'clock.

FRIDAY MORNING, February 7, 1845.

The Senate met pursuant to adjournment.

Mr. Jones, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act to pay Solomon L. Leonard for selecting lands.

Mr. Boggs, from the select committee, to whom was referred the House bill entitled,

An act for the benefit of Benjamin Tharp, a free man of color,

Reported it to the Senate and recommended its passage.

The report was agreed to,

And the bill read a third time and passed.

The following bills were, on leave, severally introduced, read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and the bills read a third time and passed:

By Mr. Mills,

An act embracing a road law for St. Louis county.

By Mr. Monroe,

An act to authorize the county court of Pulaski county, to borrow the road and canal fund belonging to said county.

Mr. Mills asked and obtained leave of absence for Mr. Lucas for a few days.

Mr. Rrawlins asked and obtained leave of absence for Mr. Snell for a few days.

Mr. Welborn, on leave, introduced a memorial entitled, Memorial to Congress of the United States, in relation to diverting the grant of 500,900 acres of land to common school purposes.

Which was read a first time, the rule suspended, read a second time, and ordered to be engrossed, and read a third time on Tuesday next.

Mr. Rawlins, on leave, introduced a bill entitled, An act to legalize the sale of certain township school lands in Howard county.

Which was read a first time, the rules suspended, read a second time, considered as engrossed and ordered to a third reading on Tuesday next.

On motion of Mr. Monroe,

The bill entitled,

An act to pay Solomon L. Leonard for selecting land,

Was taken up and read a third time.

Mr. Monroe moved to amend by ryder as follows:

In the 4th line of the 2nd section between the words "Leonard" and "and" insert the following: "to be paid by the receiver of the land office at Savannah, for which he shall take duplicate receipts."

Which was read a first time, the rule suspended, read a second time, considered as engrossed and read a time.

Mr. Shelton, moved to amend by way of ryder as follows:

Strike out the words "three thousand" wherever they occur in the bill, and insert "two thousand five hundred" in lieu thereof.

Which was read a first time, and objections being made, the question was pending on the rejection of the ryder when

On motion, the bill and amendments were passed over for the present.

Mr. Monroe, on leave, introduced a bill entitled,

An act to close the sales of lots in the city of Jefferson.

Which was read a first time, the rule suspended, read a second time, and referred to the committee on the permanent seat of government.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President:

The following bills have been introduced into the House of Representatives:

An act for the relief of A. B. Tinsley.

An act for the relief of A. W. Jeffries and Lewis C. Frazier.

An act amendatory of an act to establish a third branch of the bank of the State of Missouri, approved Feb. 6th, 1841.

An act to establish an academy in the town of Perryville.

An act to revive an act to establish a state road in the counties of Gasconade, Osage and Franklin.

An act to provide for the payment of certain troops employed in the service of the State.

Memorial to Congress on the subject of the national road.

The following bills have passed the House of Representatives:

An act to establish a State road in Livingston county.

An act for the benefit of Reuben Garnett.

An act to establish a state road from Bolivar in Polk county, to Waynesville in Pulaski county.

An act for the relief of William Anderson.

On motion the House bill entitled,

An act for the relief of Wm. Anderson,

Was taken up, read a first time, the rule suspended, and read a second and third time and passed.

On motion of Mr. Rawlins,

Resolved, That the President of the Senate be authorized to employ an additional clerk or clerks, when in his opinion the interest of the State would be promoted thereby, and such clerk or clerks, so appointed, shall aid in engrossing or enrolling as circumstances may require.

On motion of Mr. Monroe,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was—28.

Absent—Mr. Miller.

With leave—Messrs. Lucas, Massey and Snell.

As agent for the State to the bank, Mr. Fort.

On motion, all further proceedings under the call were dispensed with.

The counsel of the parties proceeded with the investigation of the contested election.

Mr. O'Bryan's counsel objected to the vote of Benjamin J. Thompson, on the ground that he was a minor at the time of voting.

Mr. Hudspeth offered the following:

Resolved, That in the opinion of the Senate, Benjamin J. Thompson was a legal voter in the county of Cooper, at the late August election, and his vote ought to be counted for John Miller for State Senator.

The question on the adoption of the resolution was determined in the negative by the following vote:

Yeas—Messrs. Acock, Hancock, Hudspeth, Johnson, Jones, Monroe, Polk, Powers, Reese, Snyder, Thompson, Welborn and Wolfskill—13.

Nays—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy,

Ellis, Gentry, Harper, Harris, Mills, Netherton and Rawlins—13.

Absent Mr. Shelton,

With leave, Messrs. Lucas, Massey and Snell.

As agent for the State to the Bank, Mr. Fort.

Excused from voting—Messrs. Miller and O'Bryan.

The Senate being equally divided the President gave the casting vote, and in the negative.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Gentry,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 27.

Absent—Messrs. Ellis, Miller and Reese.

With leave—Messrs. Lucas and Snell.

Agent of the State to the bank—Mr. Fort.

The Sergeant at arms was despatched to notify the absentees.

On motion of Mr. Anderson,

All further proceedings under the call were dispensed with.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the following enrolled bills:

An act to prevent certain trespasses.

An act to provide for erecting county buildings.

An act regulating enclosures.

An act for the relief of William Anderson.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

The counsel of the parties proceeded with the investigation of the contested election.

Mr. O'Bryan's counsel objected to the vote of Lott Howard, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Thompson offered the following:

Resolved, That the vote of Lott Howard, cast at the late August election in Cooper county, for John Miller, is illegal and ought not to be counted.

The question on the adoption of the resolution was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Campbell, Calhoun, Detchemendy, Ellis, Harper, Hudspeth, Johnson, Jones Monroe, Polk, Powers Rawlins, Reese, Shelton, Snyder and Thompson—19.

Nays—Messrs. Boggs, Gentry, Hancock, Harris, Massey, Mills, Netherton, Welborn and Wolfskill—9.

Absent with leave—Messrs. Lucas and Snell.

As agent of the State to the bank—Mr. Fort.
Excused from voting, Messrs, Miller and O'Bryan.

The counsel of Mr. O'Bryan objected to the vote of Jonathan N. Bailey, on the ground that he was not a legal resident of Cooper county at the time of voting.

Mr. Boggs offered the following:

Resolved, That Jonathan N. Bailey's vote, at the last August election in Cooper county, for State Senator, is a legal vote and ought to be counted for John Miller.

The question on the adoption of the resolution was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Monroe, Netherton, Polk, Rawlins, Reese, Shelton, Snyder and Welborn—20.

Nays.—Messrs. Blythe, Detchemendy, Harper, Massey, Mills, Powers, Thompson and Wolfskill—8.

Absent with leave Messrs. Lucas and Snell.

As agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

The counsel of Mr. O'Bryan objected to the vote of James Eubanks, on the ground of non-residence in the county of Cooper at the time of voting.

Mr. Welborn offered the following:

Resolved by the Senate, That James Eubanks was a legal voter at the late August election in Cooper county, and that his vote ought to have been counted for John Miller for State Senator.

The question on the adoption of the resolution was determined in affirmative by the following vote:

Yeas—Messrs. Acock, Blythe, Detchemendy, Hancock, Hudspeth, Johnson, Jones, Massey, Monroe, Polk, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn—16.

Nays—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Mills, Netherton, Powers, and Wolfskill—12.

Absent with leave, Messrs. Lucas and Snell.

As agent of the State to the bank, Mr. Fort.

Excused from voting, Messrs. Miller and O'Bryan.

The counsel of Mr. O'Bryan took up the vote of Charles Hutchison, which they alleged was offered for Mr. O'Bryan, and rejected by the judges of the election.

The question was pending on the legality of said vote, when,

On motion, the Senate adjourned until to-morrow morning, at 9 o'clock.

SATURDAY MORNING, February 8, 1845.

The Senate met pursuant to adjournment.

The President laid before the Senate a communication from Mons. Alexandre Vattemare of Paris, in relation to international exchanges of literary and scientific works, and the productions of art and nature.

Which was read and referred to a select committee consisting of Messrs. Campbell, Jones and Boggs:

Mr. Polk, moved a call of the House which was ordered.

The roll being called,

The number of Senators answering to their names was 18.

Absent—Messrs. Acock, Anderson, Detchemendy, Ellis, Hudspeth, Massey, Miller, Mills, Monroe, Netherton, Powers and Welborn.

With leave—Messrs. Lucas and Snell.

As agent of the State to the bank—Mr. Fort.

The sergeant at arms was despatched to notify the absentees;

When on motion, all further proceedings under the call were dispensed with.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act providing for the change of venue in civil cases.

An act to provide for the sale of certain slaves.

An act to provide for the surrender and cancellation of certain bond of the State of Missouri, and for the issue of other equivalent bonds therefor.

An act to establish a State road.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, enrolled bills entitled,

An act to prevent certain trespasses.

An act to provide for erecting county buildings.

An act regulating enclosures.

The counsel of the parties proceeded with the investigation of the contested election.

The legality of the vote of Charles Hutchison being under consideration,

Mr Boggs, offered the following:

Resolved, That Charles Hutchison, who offered to vote for Jordan O'Bryan, for State Senator, at the last August election in Cooper county, was a legal vote at said election, and that his vote ought to be counted for said Jordan O'Bryan, for State Senator.

The question on the adoption of the resolution was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Calhoun, Ellis, Gentry, Harper, Harris, Johnson, Jones, Mills, Netherton, Powers, Rawlins, Shelton, Snyder, Welborn and Wolfskill—17.

Nays—Messrs. Blythe, Hancock, Hudspeth, Massey, Polk and Reese—6.

Absent—Messrs. Acock, Campbell, Detchemendy, Fort, Monroe and Thompson.

With leave—Messrs. Lucas and Snell.

Excused from voting—Messrs. Miller and O'Bryan.

Mr. Anderson offered the following:

Resolved, That Jordan O'Bryan, the sitting member from the county of Cooper, in the opinion of the Senate, having a majority of the votes given at the August election for State Senator, is duly elected, and entitled to his seat.

Which was read, and

On motion of Mr. Thompson,

Laid on the table.

On motion of Mr. Gentry,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was —27.

Absent—Messrs. Fort, Monroe and Thompson.

With leave—Messrs. Lucas and Snell.

Sick—Mr. Acock.

On motion of Mr. Shelton,

All further proceedings under the call were dispensed with.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The following bills have passed the House of Representatives.

An act for the relief of Gideon P. Wyatt.

An act to license and tax billiard tables.

An act to authorize R. A. Ewing and Robert R. Jefferson, to erect a toll bridge across Moreau creek.

An act relating to juries.

An act concerning mills, millers and the rates of tolls.

An act to authorize Cerial D. Ball to erect a mill dam across little Osage river.

An act to view and mark out a state road in Dallas county.

An act to establish a branch of a state road in Benton county.

An act to establish a state road from the widow Crabtree's in Benton county, to Brown's point in Polk county.

An act to amend an act to incorporate the St. Louis Fire company, approved Feb. 12, 1841.

An act for the benefit of Benjamin Howard Payne.

An act to define the southern boundary line of Shelby county.

Memorial on the subject of retrenchment of the expenditures of the general government.

The House has rejected the bill entitled,

An act to divorce Ann Amelia Roe, from her husband, Charles Roe.

The President laid before the Senate a communication from the Auditor, asking the General Assembly to appoint a joint committee to examine his books, accounts, and files and to make a settlement with him.

Which was read and laid on the table.

On motion of Mr. Acock,

Leave of absence was given Mr. Monroe for a few days.

On motion, the Senate adjourned until 2 o'clock, P. M.

The Senate met pursuant to adjournment.

On motion of Mr. Boggs,

A call of the House was ordered,

The roll being called,

The number of Senators answering to their names was 20.

Absent—Messrs. Campbell, Calhoun, Detchemendy, Ellis, Fort, Miller and Shelton.

With leave, Messrs. Lucas, Monroe and Snell.

Sick, Messrs. Massey and Johnson.

The Sergeant at Arms was dispatched to notify the absentees.

On motion, all further proceedings under the call were dispensed with.

Mr. Rawlins offered the following:

Resolved, That smoking is not allowed during the remainder of the session, within the Senate Chamber, and the door-keeper is authorized to prevent the same.

Mr. Thompson moved to amend as follows:

After the word "smoking," where it occurs in the resolution, insert the words, "and chewing tobacco."

Which was negatived.

And the resolution offered by Mr. Rawlins was adopted.

On motion of Mr. Anderson,

The resolution offered by him in relation to the contested election, was taken up.

Mr. Thompson moved to lay it on the table.

Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Blythe, Hancock, Hudspeth, Jones, Miller, Polk, Powers, Shelton and Thompson—10.

Nays—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Mills, Netherton Rawlins, Reese, Snyder, Welborn and Wolfskill—16.

Absent Mr. Fort.

With leave, Messrs. Lucas, Monroe and Snell.

Excused from voting, Mr. O'Bryan.

Sick—Messrs. Johnson and Massey.

Mr. Acock offered the following substitute for Mr. Anderson's resolution:

Resolved, That the election for Senator of the 21st Senatorial district is involved in so much doubt and uncertainty, that it is hereby declared that neither Mr. O'Bryan nor Mr. Miller is entitled to the seat, and that the same is hereby declared vacant.

The question on the adoption of the substitute was determined in the negative, by the following vote:

Yeas—Messrs. Acock, Hancock, Jones, Polk, Powers, Reese, Snyder, Thompson and Welborn—9.

Nays—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Mills, Netherton, Shelton and Wolfskill—15.

Absent with leave, Messrs. Lucas, Monroe, and Snell.

Excused from voting, Messrs. Fort, Miller, O'Bryan, and Rawlins.

Sick, Messrs. Johnson and Massey.

The question then recurred on the adoption of the resolution and was determined in the affirmative, by the following vote:

Yeas.—Messrs. Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Mills, Netherton, Powers, Reese, Shelton, Snyder, Welborn and Wolfskill—20.

Nays.—Messrs. Polk and Thompson—2.

Absent—Mr. Jones.

With leave—Messrs. Lucas, Monroe and Snell.

Excused from voting, Messrs. Acock, Fort, Miller, O'Bryan and Rawlins.

Sick—Messrs. Johnson, and Massey.

Mr. Fort made the following report:

The undersigned, agent of the State of Missouri, will report to the Senate, that by direction of a concurrent resolution, approved on the 30th ultimo, he proceeded to the city of St. Louis, and on the 5th instant, demanded of the President of the Bank of the State of Missouri all the unsold State bonds, then in the possession of the Bank, to which demand the President yielded ready obedience by delivering to the undersigned two thousand two hundred and thirty bonds (2,230) worth by their face one thousand (1,000) dollars each; making the total amount of \$2,230,000 which I have caused to be conveyed to this place, and have them now deposited in the office of the Treasurer of the State; ready to be delivered to the General Assembly when it shall be their pleasure to receive them.

The report was read and referred to a select committee consisting of Messrs. Reese, Anderson and Acock.

On motion the Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, *February* 10, 1845.

The Senate met pursuant to adjournment.

Mr. Harris, from the select committee, to whom was referred the House bill entitled,

An act to extend the corporate limits of the town of Columbia, in Boone county, and for other purposes,

Reported it to the Senate, and recommended its passage as it came from the House, without amendment.

Mr. Fort, from the same committee, made a minority report; in which he recommended the rejection of the bill.

The question on agreeing to Mr. Harris' report was determined in the affirmative,

And the bill was read a third time.

Mr. Fort moved to amend by way of rider as follows:

Add the following as an additional section:

"The trustees of the town of Columbia shall not pass any by-law or ordinance which shall authorise any officer or other person or persons, to exercise any jurisdiction whatever, over the University grounds, the University, the students, the professors or any person or property attached thereto.

Which was read a first time and

On motion of Mr. Harris,

Rejected by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Mills, O'Bryan, Powers, Rawlins, Shelton and Wolfskill—17.

Nays—Messrs. Acock, Blythe, Fort, Massey, Miller, Netherton, Polk, Snyder and Welborn—9.

Absent—Messrs. Reese and Thompson.

Absent, with leave, Messrs. Lucas, Monroe and Snell.

Sick—Messrs. Calhoun and Johnson.

Mr. Fort moved to amend by way of rider, to come in at the end of the bill as follows:

“The trustees of the town of Columbia shall not possess the power to pass any ordinance or act, which shall authorise any officer or other person to arrest or exercise any authority whatever, over any student or students of the State University.

Which was read and rejected,

On motion of Mr. Harris,

By the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Gentry, Harper, Harris, Hudspeth, Mills, O'Bryan, Powers, Rawlins, Shelton and Wolf-skill—15.

Nays—Messrs. Acock, Blythe, Fort, Hancock, Massey, Miller, Netherton, Polk, Reese, Snyder and Welborn—11.

Absent—Messrs. Jones and Thompson.

With leave—Messrs. Lucas, Monroe and Snell.

Sick—Messrs. Calhoun, and Johnson.

On motion of Mr. Fort,

A call of the House was ordered.

The number of Senators answering to their names was 26.

Absent, Messrs. Jones and Thompson.

With leave, Messrs. Lucas, Monroe and Snell.

Sick, Messrs. Calhoun and Johnson.

The Sergeant-at-Arms was despatched to notify the absentees.

On motion of Mr. Shelton,

All further proceedings under the call were dispensed with.

The question recurred on the passage of the bill,

And was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Miller, Mills, O'Bryan, Powers, Rawlins, Shelton and Wolfskill—19.

Nays.—Messrs. Acock, Fort, Massey, Netherton, Polk, Reese, Snyder and Welborn—8.

Absent, Mr. Thompson.

With leave, Messrs. Lucas, Monroe and Snell.

Sick, Messrs. Calhoun and Johnson.

Mr. Thompson, from the select committee to whom was referred the House bill entitled:

An act to establish a state road from Brunswick in Chariton county, to Savannah in Andrew county, by way of Kingston, Far West and Rochester.,

—Reported it to the Senate without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the enrolled bills entitled,

An act to change the name of Maria Coffee, and for other purposes.

An act for the relief of Isaac N. Ebey, collector of Adair county.

An act for the relief of the clerk of Miller county.

An act concerning towns and villages.

An act to change a State road in Jackson and Van Buren counties.

An act to establish a state road from Carrolton by way of Knoxville, to Plattsburgh.

An act relative to the permanent seat of justice of Taney county.

An act to regulate actions on penal bonds.

The House has adopted the following resolution:

Resolved, by the House of Representatives the Senate, concurring therein:

That a committee of two members on the part of the House, and such number on the part of the Senate as that body may designate, be appointed to settle with the Auditor of Public Accounts from the 1st day of October last, up to the 13th day of the present month inclusive, and report to the two Houses the result of their examination.

Messrs. Rogers and Labeaume have been appointed on said committee on the part of the House.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

On motion of Mr. Shelton,

The resolution from the House in relation to the appointment of a joint committee to settle with the Auditor, was taken up and concurred in, and

Mr. Jones was appointed on the part of the Senate under said resolution.

The following bills were on leave, severally introduced, read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed:

By Mr. Fort:

An act respecting a state road in Randolph county.

By Mr. Mills:

An act concerning the decisions of the supreme court.

Mr. Campbell, on leave, introduced a bill entitled,

An act for the benefit of the heirs of John D. Foster, deceased.

Which was read a first time, the rule suspended, read a second time, and referred to Messrs. Campbell, Miller and Jones.

Mr. Mills, on leave, introduced a bill entitled,

An act to incorporate the St. Louis public library association.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and ordered to a third reading on to-morrow.

On motion of Mr. Hudspeth,

The House bill entitled,

An act for the relief of Gideon P. Wyatt,

Was taken up, read a first time, the rule suspended, read a second and third times, and passed.

On motion of Mr. Fort,

The House bill entitled,

An act to provide for the organization of certain counties.

Was taken up and read a second time.

Mr. Reese moved to suspend the rules, and that it be read a third time now.

Which was negatived.

And the bill was ordered to a third reading.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Campbell,

Resolved, by the Senate, the House of Representatives concurring therein:

That the Auditor of Public Accounts, be allowed to close his office until the settlement to be made by the joint committee of the two Houses, shall be finished.

On motion of Mr. Snyder,

The vote by which the Senate refused to suspend the rules in order to read a third time the bill entitled,

An act to provide for the organization of certain counties,

Was reconsidered, and,

The question on suspending the rules and that the bill be read a third time now, was determined in the affirmative,

When the bill was read a third time, and,

On motion of Mr. Monroe, passed over until 4 o'clock.

On motion of Mr. Rawlins,

The House bill entitled,

An act for the relief of George B. Tolson,

Was taken up and read a third time, and,

The question on its passage was determined in the negative by the following vote:

Yeas—Messrs. Acock, Hancock, Harris, Jones, Netherton, Polk, Rawlins, Reese and Snyder—9.

Nays—Messrs. Anderson, Blythe, Boggs, Campbell, Ellis, Fort, Gentry, Harper, Hudspeth, Johnson, Massey, Miller, Mills, O'Bryan, Powers, and Shelton—16.

Absent, Messrs. Detchemendy, Monroe, Welborn and Wolfskill.

With leave, Messrs. Lucas and Snell.

Excused from voting, Mr. Thompson.

Sick, Mr. Calhoun.

Mr. Jones, on leave, introduced a resolution entitled,

Joint resolution in relation to the purchase of the Digest of the Decisions of the Supreme Court.

Which was read a first time and ordered to a second reading.

On motion of Mr. Rawlins,

Resolved by the Senate, That the enrolling clerk shall be entitled to the room on the left of the President's chair for his office.

On motion, the Senate went into secret session, and after having been engaged some time therein, resumed its ordinary business.

The bill entitled,

An act to collect revenue on merchandise,

Was read a second time, and

Referred to a select committee consisting of Messrs. Polk, Campbell, Snyder, Netherton and Blythe.

A memorial to Congress in relation to graduating the price of public lands,
Was read a second time, and ordered to be engrossed and read a third time.
The bill entitled,

An act to declare a certain road a state road.

Was read a second time.

Mr. Snyder moved to amend as follows:

Strike out the 1st section of the bill and insert the following:

Section 1. All that portion of a certain public road leading from Jackson in Cape Girardeau county, by way of Greenville in Wayne county, to Pitman's Ferry on Current river, as lies between Morgan's near the county line between Cape Girardeau and Wayne counties, to the said Pitman's Ferry, on Current river, is hereby declared to be a state road.

Which was read.

Mr. Polk moved to amend by way of substitute for the bill and amendment as follows:

Strike out all after the enacting clause and insert:

Section 1. The present public road leading from Jackson by way of H. B. Barnhart's and Greenville to the state line near Pitman's Ferry, all that portion of the said road leading from Wm. Morgan's in Wayne county, near the line dividing the counties of Cape Girardeau and Wayne, by Greenville to the state line, is hereby declared a state road.

Sec. 2. It shall be the duty of the several county courts, through which said road passes, to cause said road to be opened and kept in repair as other State roads.

This act to take effect and be in force from and after its passage.

Which was read and agreed to, and the bill as amended was ordered to be engrossed, and read a third time.

The following bill was read a second time:

An act to appropriate money for the improvement of state roads.

Mr. Jones moved to amend by way of substitute as follows:

Strike out all after the enacting clause and insert,

Sec. 1. That the sum of thirty thousand dollars be and the same is hereby appropriated out of the proceeds of the sales of the five hundred thousand acres of land donated by Congress for internal improvements, to the improvement and McAdamizing of the State road leading from St. Louis to Jefferson City, in this State; and the sum of fifteen thousand dollars to the improvement of the State road from St. Louis to Potosi in Washington county, in this State, and the sum of twenty thousand dollars to the improvement of the State road from Port William, in Franklin county to Springfield, in Greene county.

Which was read, and

On motion of Mr. Massey,

Referred to the committee on internal improvements.

The following House bills were severally read a second time, and ordered to a third reading on to-morrow.

An act for the relief of the heirs of Daniel Clare.

An act to incorporate the city of Glasgow.

An act to extend a State road from Mexico to Huntsville.

Joint resolutions in relation to the imprisonment for treason, of Gov. T. W. Dorr of Rhode Island

An act for the benefit of John Fawcett and others.

An act supplemental to an act to authorise the county court of Wayne county to borrow money, approved January 14th, 1845.

An act to authorise the election of a justice of the peace within the limits of Cape Girardeau city.

An act to change a portion of the line dividing the counties of Camden and Miller.

An act for the relief of Brice W. Hammock of Lincoln county.

An act declaring a certain county road in Holt county a State road, and

Memorial to Congress requesting the sale of fractions of land adjoining French and Spanish concessions.

The following House bills were severally read a second time and referred to a select committee consisting of Messrs. Boggs, Johnson and Wolfskill.

An act to view and mark out a state road in Jackson county.

An act to establish a State road from Independence to Wayne City, in Jackson county.

The House bill entitled,

An act to provide for the partition of land and personal property,

Was read a second time.

Mr. Boggs moved to commit it to a committee of the whole, which was negatived, and

The bill was ordered to a third reading.

The House bill entitled,

An act to provide for the organization of certain counties, was taken up.

Mr. Monroe moved to amend by way of ryder as follows:

Strike out sections 35, 36 and 37, which relates to Manitou county.

Which was read, and

On motion of Mr. Fort,

Rejected by the following vote:

Yeas—Messrs. Acock, Blythe, Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Hancock, Harris, Hudspeth, Johnson, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snyder, Thompson and Wolfskill—23.

Nays—Messrs. Anderson, Harper, Mills, Monroe, Rawlins and Welborn—6.

Absent, Mr. Jones.

With leave, Messrs. Lucas and Snell.

Sick, Mr. Calhoun.

Mr. Campbell moved to amend by way of ryder as follows:

Strike out the sections which relate to the county of Oregon.

Which was read, and, on motion, rejected by the following vote:

Yeas—Messrs. Acock, Blythe, Boggs, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Monroe, Netherton, Polk, Powers, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—22.

Nays—Messrs. Anderson, Campbell, Gentry, Harper, Harris, Mills, O'Bryan and Rawlins—8.

Absent with leave, Messrs. Lucas and Snell.

Sick, Mr. Calhoun.

The question then recurred on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Blythe, Boggs, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Massey, Miller, Monroe, Netherton, Polk, Powers, Reese, Shelton, Thompson and Wolfskill—19.

Nays—Messrs. Anderson, Campbell, Gentry, Harris, Harper, Mills, O'Bryan, Rawlins, Snyder and Welborn—10.

Absent, Mr. Jones.

With leave, Messrs. Lucas and Snell.

Sick, Mr. Calhoun.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, *February 11, 1845.*

The Senate met pursuant to adjournment.

Mr. Hancock, from the committee on claims, to whom was referred the petition of Maria Carnes,

Reported a bill entitled

An act for the relief of Maria Carnes.

Which was read a first time, the rules suspended, read a second time, considered as engrossed, the rules further suspended, and read a third time and passed.

Mr. Campbell, from the select committee to whom was referred a bill entitled;

An act for the benefit of the heirs of John D. Foster, deceased,

Reported it to the Senate, and recommended its passage without amendment.

The report was agreed to, and the bill read a third time and passed.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 10. 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act regulating enclosures.

An act to prevent certain trespasses.

An act to provide for erecting county buildings.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

The President laid before the Senate the following communication:

CITY OF JEFFERSON, February 11, 1845.

To Col. JAMES YOUNG,

President of the Senate:

SIR—Having determined to accept the office of Auditor of Public Accounts tendered me by his Excellency, and confirmed by the Senate, in my absence on yesterday, I hereby resign my seat as Senator of the twentieth Senatorial district.

In thus separating myself from the body over which you preside, permit me to assure you, and through you the Senate, that I do so with no small degree of regret, intermingled with feelings of gratitude.

If in the course of my legislative duties, I have, on any occasion, done any thing, or in the heat of debate have said any thing, that wounded the feelings of any Senator, I desire, through you, to assure that Senator, that it did not proceed from a desire to inflict a wound, but was the result alone, of an ardent temperament.

In conclusion, permit me to express to you my sincere, and best wishes, for the individual happiness and prosperity of yourself, and that of each individual senator.

I have the honor to be, your most

Ob't. serv't.

WILLIAM MONROE.

On motion of Mr. Polk, Messrs. Jones and Powers, were added to the select committee to whom was referred the bill entitled, an act to collect revenue on merchandise.

Mr. Shelton on leave introduced a bill entitled,

An act respecting a school township in St. Charles county.

Which was read a first time and ordered to a second reading.

Joint resolution in relation to the purchase of the digest of the decisions of the Supreme Court of Missouri,

Was read a second time, and

On motion of Mr. Massey,

Referred to a select committee, consisting of Messrs. Massey, Jones and Shelton.

The House bill entitled,

An act to establish a State road from Georgetown to Lexington,

Was read a second time.

Mr. Calhoun moved to amend as follows, to come in after the word "road," where it occurs in the 9th line of the first section.

From Georgetown in Pettis county, from thence to some point at or near the head of brush hill, contiguous to the county line, between Pettis and Johnson counties; from thence to Greer's mills on Blackwater in Johnson county, and from thence to Lexington in Lafayette county, following the nearest and most practicable route, due regard being had to the ground over which said road shall run, also the advantages to be derived to the public, and with the least injury to individuals: Said commissioners shall follow the above designated route when in their judgment it is proper to do so, but may depart from the same when in their opinion it is proper and just, or the public good requires it.

Which was read and agreed to, and

On motion of Mr. Calhoun,

The rule was suspended, and the bill as amended was read a third time and passed.

On motion of Mr. Massey, the bill entitled,

An act to provide for assessing the taxable property of this State, and for making lists of the same,

Was taken up and read a third time.

Mr. Massey moved to amend by way of ryder as follows, to come in as an additional section:

The county courts in the respective counties may appoint an additional assessor, for each incorporated city or town in their respective counties, who shall assess the taxable property, within the limits of said corporation, in conformity with the provisions of this act.

Which was read a first time and second time, rules suspended and read a third time.

Mr. Mills moved to amend by way of ryder as follows, add the following at the end of the 5th section:

Provided, that the assessors, hereby appointed in each county shall constitute a board of assessors in said county whose duty it shall be to meet at the county seat, and examine the lists of property by them assessed, and make an equal grade of value, of property in all parts of the county, taking into consideration, its local value.

Which was read, and

On motion of Mr. Snyder, rejected.

Mr. Reese moved to amend by way of ryder as follows, add the following as an additional section:

This act shall take effect and be in force from and after the 1st day of May, A. D. 1846.

Which was read, and

On motion of Mr. Polk, rejected.

The question then recurred on the passage of the bill and was determined in the negative by the following vote:

Yeas—Messrs. Acock, Blythe, Calhoun, Fort, Hancock, Hudspeth, Johnson, Massey, Miller, Polk, Powers, Snyder, Welborn and Wolfskill—14.

Nays—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Gentry, Harper, Harris, Mills, Netherton, O'Bryan, Rawlins, Reese, Shelton and Thompson—15.

Absent with leave—Messrs. Lucas and Snell.

On committee—Mr. Jones.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The following bills have passed the House of Representatives.

An act to incorporate the city of Hannibal.

An act for the payment of certain troops employed in the service of the State.

An act to enable the Auditor of Public Accounts to settle with the collectors of the revenue.

An act for the relief of C. W. McKissick of Holt county.

An act to establish a State road from Pattonsburgh in Daviess county, to St. Joseph's in Buchanan county.

The House of Representatives has indefinitely postponed the bill entitled;

An act to incorporate the St. Louis savings institution.

The Speaker has signed the enrolled bills entitled,

An act for the benefit of Benjamin Tharp, a free man of color,

An act for the relief of Gideon P. Wyatt.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

The following bills were severally read a third time and passed:

An act providing for the change of venue in civil cases,

An act for the relief of John B. Sturznegger.

An act to provide for the surrender and cancellation of certain bonds of the State of Missouri, and for the issue of other equivalent bonds therefor.

An act declaring a certain county road a State road.

An act to authorise the county court of Grundy county to sell sixteenth sections.

The bill entitled,

An act for the benefit of John Highley, sen.,

Was read a third time.

Mr. Campbell moved to amend by way of ryder as follows, to come in at the end of the second section.

Nor employ a capital of more than three hundred dollars.

Which was read a first time, the rules suspended, read a second time, considered as engrossed and read a third time, when

The bill as amended passed.

On motion of Mr. Reese, the House bill entitled,

An act to enable the Auditor of Public Accounts to settle with the collectors of the revenue.

Was taken up, read a first time, the rule suspended and read a second and third time and passed.

On motion, the Senate adjourned until 3 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Jones,

Leave was given to the committee appointed to settle with the Auditor to sit during the sessions of the Senate.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act to authorise the county court of Boone county to pay over certain monies to the order of the county court of Callaway county.

An act to enable persons held in slavery to sue for their freedom.

An act concerning the office of county surveyor.

An act relative to insane persons.

An act concerning inquests.

An act providing for the election of a commissioner of the permanent seat of government and for other purposes.

An act to provide for building bridges.

An act concerning descents and distribution.

An act concerning boatmen.

An act to provide for the support of the poor.

An act concerning coroners, and.

An act concerning seed horses.

The following bills were severally read a third time and passed.

An act to legalize the sale of certain township school lands in Howard county.

An act to provide for the sale of certain slaves.

An act to establish a State road.

An act to incorporate the St. Louis Public Library Association.

The following House bills were severally read a third time and passed.

An act concerning the road and canal fund.

An act to regulate marks and brands.

An act to provide for the partition of land and personal property.

An act for the relief of the heirs of Daniel Clare.

An act to regulate practice in the Supreme court.

On motion of Mr. Fort,

The House bill entitled,

An act to declare a certain road in Monroe county a State road,

Was taken up, read a first time, the rule suspended and read a second time, and

On motion of Mr. Gentry,

Was indefinitely postponed.

The House bill entitled,

An act to authorise the Secretary of State to purchase certain maps for the use of the officers of State,

Was read a third time, and the question on its passage was determined in the negative.

Mr. Netherton, on leave, introduced a bill entitled

An act appointing commissioners to locate the seat of justice of Mississippi county.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

Message from the House of Representatives, by Mr. Huston, assistant clerk.

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the following enrolled bills

An act concerning descents and disiributions.

An act to provide for building bridges.

An act providing for the election of a commissioner of the permanent seat of government and for other purposes.

An act concerning inquests.

An act concerning insane persons.

An act concerning the office of county surveyor.

An act to enable persons held in slavery to sue for their freedom.

An act to authorise the county court of Boone county to pay certain monies to the order of the Callaway county court.

An act respecting seed horses.

An act concerning coroners.

An act to provide for the support of the poor, and

An act concerning botmen.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

On motion of Mr. Thompson,

The bill entitled,

An act to pay Solomon L. Leonard for selecting lands,

Was taken up, and read a third time.

The ryder offered by Mr. Shelton being under consideration,

Was, on motion of Mr. Thompson, rejected.

Mr. Ellis moved to amend by way of ryder as follows:

Strike out the words "three thousand," wherever they occur in the bill.

Which was read a first time.

Mr. Thompson moved its rejection, which was determined in the negative by the following vote:

Yeas—Messrs. Blythe, Johnson, Jones, Polk, Thompson and Welborn—6.

Nays—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Massey, Miller, Mills, Netherton, O'Bryan, Powers, Rawlins, Reese, Shelton, Snyder and Wolfskill—23.

Absent—Mr. Detchemendy.

With leave, Messrs. Lucas and Snell.

The question was pending on ordering Mr. Ellis's ryder to a second reading, when,

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY MORNING, February 12, 1845.

The Senate met pursuant to adjournment.

Mr. Mills, presented the petition of the Blacksmiths Protective Association

of St. Louis, praying for an act of incorporation.

Which was read and referred to a select committee consisting of Messrs. Mills, Anderson and Shelton.

Mr. Boggs presented three petitions from sundry citizens from Jackson and Johnson counties, praying for the organization of a new county.

Which was referred to a select committee consisting of Messrs. Boggs, Calhoun and Hancock.

Mr. Mills presented the petition of the Mound Fire Company of St. Louis, praying for an act of incorporation.

Which was referred to a select committee consisting of Messrs. Mills, Ellis and Netherton.

Mr. Jones, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act respecting wills.

An act to provide for the removal of seats of justice.

An act to declare a certain road a State road.

A memorial to congress in relation to the graduation of the price of the public lands.

Memorial to Congress of the United States, in relation to diverting the grant of 500,000 acres of land to common school purposes.

Mr Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, the enrolled bill entitled,

An act concerning descents and distributions.

An act concerning boatmen.

An act to provide for the support of the poor.

An act concerning coroners.

An act respecting seed horses.

An act to authorize Boone county to pay over certain monies to the order of the Callaway county court.

An act to enable persons held in slavery to sue for their freedom.

An act concerning the office of county surveyor.

An act relative to insane persons.

An act concerning inquests.

An act to provide for the election of a commissioner of the permanent seat of government. and for other purposes, and

An act to provide for building bridges.

On motion of Mr. Reese,

Resolved by the Senate, the House of Representatives concurring therein:

That a committee of five be appointed on the part of the Senate, to join such committee as may be appointed by the House, whose duty it shall be to lay off the State into convenient judicial circuits, and fix the times of holding courts therein, and report by bill or otherwise to their respective Houses.

Whereupon the President announced Messrs. Reese, Jones, Johnson, Acöck, and Miller, the committee on the part of the Senate.

On motion of Mr. Anderson,

Mr. Miller was added to the committee on ways and means.

The following bills were, on leave, severally introduced, read a first time, and ordered to a second reading:

By Mr. Ellis,

An act to remove a mill dam from the west fork of North Grand river.

By Mr. Welborn,

An act to establish a state road in Pike county.

On motion of Mr. Mr. Hudspeth,

Mr. Snyder was added to the select committee to whom was referred the me-

memorial of the citizens of S. Louis respecting the separation of the office of Recorder from that of County Clerk.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President:

The following bills have passed the House of Representatives:

An act to close Randolph street in the town of Glasgow, and for other purposes.

An act to change the name of Mary Jane Howard and Ferdinand her son.

Joint resolution in relation to the distributive share of the proceeds of the sales of the public lands of the United States.

The House has rejected the bills entitled:

An act for the relief of Wm. A. Salee.

An act amendatory of an act to establish a third branch of the bank of the State of Missouri, approved Feb. 6th, 1841.

The House has referred to the State Convention to be elected in August next, the resolution entitled:

Joint resolution amendatory of the constitution restricting the tenure of judicial officers.

The House has passed the Senate bills entitled:

An act for the benefit of James Love.

An act for the relief of A. A. Laforge.

The following bills have been introduced in the House of Representatives:

An act to organize the county of Dorr.

An act amendatory of an act to authorize improvements in the Penitentiary, approved, February 23, 1843, and of an act concerning the government and discipline of the Penitentiary, approved February 20th, 1843.

On motion of Mr. Welborn,

The memorial entitled,

Memorial to the Congress of the United States, in relation to diverting the grant of 500,000 acres of land to common school purposes.

Was taken up and read a third time,

When the question on its passage was determined in the affirmative by the following vote:

Yeas—Messrs. Blythe, Detchemendy, Harper, Harris, Hudspeth, Johnson, O'Bryan, Polk, Rawlins, Reese, Shelton, Snell, Thompson and Welborn—14.

Nays—Messrs. Acock, Anderson, Boggs, Ellis, Fort, Hancock, Massey, Miller, Netherton, Powers, Snyder and Wolfskill—12.

Absent, Messrs. Campbell, Calhoun, Gentry and Mills.

With leave, Mr. Lucas.

On committee, Mr. Jones.

On motion, the Senate adjourned until 3 o'clock, P. M.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Fort, on leave, introduced a bill accompanied by a petition, entitled,

An act to change a part of a State road leading from Paris in Monroe county to Fayette in Howard county,

Which was read a first time, the rule suspended, read a second time, consid-

ered as engrossed, and ordered, to a third reading to-morrow.

On motion of Mr. Boggs,

Messrs. Reese and Miller, was added to the select committee to whom was referred the petitions from Jackson and Johnson counties, on the subject of new counties.

The bill entitled,

An act respecting a school township in St. Charles county,

Was read a second time, ordered to be engrossed, and read a third time to-morrow.

On motion of Mr. Welborn,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was—20.

Absent—Messrs. Ellis, Johnson, Mills, Reese, Shelton, Snell and Thompson.

Absent with leave, Mr. Lucas.

On committee, Mr. Jones.

Sick, Messrs. Campbell and Gentry.

The sergeant at arms was despatched to notify the absentees; and

On motion of Mr. Fort,

All further proceedings under the call were dispensed with.

The bill entitled,

An act to pay Soloman L. Leonard for selecting lands,

Was read and on motion of Mr. Massey, laid on the table.

The following House bills were severally read a third time and passed:

An act for the benefit of Brice W. Hamrock of Lincoln county.

An act for the benefit of John Fawcett and others.

An act to incorporate the fire wardens of the city of St. Louis.

An act to incorporate the city of Glasgow.

An act to repeal an act to establish a State road from Jefferson city to the town of Hermann.

An act to authorise the election of a justice of the peace within the limits of Cape Girardeau city.

An act declaring a certain county road in Holt county a State road.

The House bill entitled,

An act to extend a State road from Mexico to Huntsville,

Was read a third time.

Mr. Harper moved to amend by way of ryder, as follows:

Strike out all after the word "Randolph" in the 9th line of the 1st. section, to the word "due" in said section.

Which was read a first and second time.

Mr. Harper moved to suspend the rules and that the ryder be considered as engrossed and read a third time now.

Which was negatived, and

On motion of Mr. Fort,

The bill and ryder were referred to a select committee consisting of Messrs. Fort, Harper and Calhoun.

On motion of Mr. Polk, the bill entitled,

An act to pay Solomon L. Leonard for selecting lands,

Was taken up and read a third time, and on motion,

The ryder offered by Mr. Ellis, on yesterday, was read a second time, considered as engrossed, and read a third time.

Mr. Ellis moved to fill the blank in the bill with 1600.

Mr. Detchemendy moved to fill it with 2500.

The question on filling the blank with 2500, was determined in the negative by the following vote.

Yeas—Messrs. Blythe, Boggs, Detchemendy, Fort, Johnson, Jones, Miller,

Polk, Thompson and Welborn—10.

Nays—Messrs. Acock, Anderson, Calhoun, Ellis, Hancock, Harper, Harris, Hudspeth, Massey, Mills, Netherton, O'Bryan, Powers, Rawlins, Snell, Snyder and Wolfskill—17.

Absent, Messrs. Reese and Shelton.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

Mr. Hancock moved to fill the blank with 2250, which was determined in the negative by the following vote:

Yeas.—Messrs. Blythe, Boggs, Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Miller, Polk, Thompson and Welborn—12.

Nays.—Messrs. Acock, Anderson, Calhoun, Ellis, Harper, Harris, Massey, Mills, Netherton, O'Bryan, Powers, Rawlins, Snell, Snyder and Wolfskill—15.

Absent, Messrs. Reese and Shelton.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

Mr. Detchemendy moved to fill the blank with 2000, which was determined in the affirmative, and the bill as amended passed.

On motion of Mr. Thompson,

The Senate recurred to the order of propositions and motions.

On motion of Mr. Thompson, the vote by which the Senate refused to pass the bill entitled,

An act to provide for assessing the taxable property of this State and for making lists of the same,

Was reconsidered.

Mr. Thompson moved to lay the bill on the table,

Which was negatived.

On motion of Mr. Detchemendy,

A call of the House was ordered,

The roll being called,

The number of Senators answering to their names was 27.

Absent, Messrs. Reese and Shelton.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

On motion of Mr. Fort,

All further proceedings under the call were dispensed with.

Mr. Detchemendy moved to adjourn, which was negatived.

The question on the passage of the said bill was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Blythe, Calhoun, Fort, Hancock, Hudspeth, Johnson, Massey, Miller, Polk, Powers, Rawlins, Snell, Snyder, Welborn and Wolfskill—16.

Nays—Messrs. Anderson, Boggs, Detchemendy, Ellis, Harper, Harris, Jones, Mills, Netherton, O'Bryan and Thompson—11.

Absent, Messrs. Reese and Shelton.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

The resolutions from the House entitled,

Joint resolutions in relation to the imprisonment for treason of T. W. Dorr of Rhode Island,

Was read a third time,

Mr. Harper moved to lay them on the table,

Which was negatived.

Mr. Snell moved a division of the question, which was pending, when,

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *February* 13, 1845.

The Senate met pursuant to adjournment.

On motion of Mr. Rawlins,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 14.

Absent, Messrs. Anderson, Boggs, Calhoun, Ellis, Harris, Miller, Mills, Netherton, Snell, Thompson, Welborn and Wolfskill.

Absent with leave, Mr. Lucas.

Sick, Messrs. Campbell, Gentry and Massey.

There not being a quorum present, the Sergeant-at-Arms was despatched to notify the absentees.

A quorum having appeared, on motion all further proceedings under the call were dispensed with.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The memorial entitled,

A memorial to Congress, asking for an appropriation for the improvement of White river,

Has been returned by the Governor, to the House of Representatives with his objections thereto.

The House has refused to pass the said memorial notwithstanding the objections of the Governor, by the following vote:

Ayes—44. Noes—44. Absent—11.

The following bills have passed the House of Representatives:

An act to establish the academy in the town of Perryville.

Joint resolution for the benefit of the New York Historical Society:

Memorial to Congress on the subject of the national road.

Mr. Jones from the committee on engrossed bills reported as truly engrossed bills entitled,

An act respecting a school township in St. Charles county.

Mr Reese from the committee on revision made the following report:

The committee on revision have had under consideration bills of the following titles:

An act to repeal an act, amendatory of an act, entitled an act to regulate the practice at law, approved 17th March, 1835, and

An act entitled an act for the speedy recovery of debts, due on bonds and notes, approved 14th March, 1835, and

An act entitled an act to establish judicial districts and circuits, and prescribe the times and places of holding courts, approved 17th March, 1835, and

An act entitled an act to establish justices courts and regulate the practice therein, approved 21st March, 1835, approved Jan. 16th, 1843.

Which they have instructed me to report to the Senate, without amendment,

and recommend the same to be laid upon the table until the fourth day of July next.

The committee have also had under consideration bills of the following titles to wit:

An act to license and tax money brokers and exchange dealers, and

An act to license and tax merchants.

Which I am instructed to report to the Senate without amendment.

Which report was read and agreed to, and

The accompanying bills entitled,

An act to license and tax money brokers and exchange dealers, and

An act to license and tax merchants,

Were severally read a first time, the rule suspended, read a second time, and committed to a committee of the Whole.

The following bills were severally read a second time, and ordered to be engrossed and read a third time:

An act to remove a mill dam from the west fork of North Grand river.

An act to establish a State road in Pike county.

The resolutions entitled,

Joint resolutions in relation to the imprisonment for treason, of Gov. T. W. Dorr of Rhode Island

Were taken up, and

On motion of Mr. Acock,

Referred to the committee on federal relations.

The following bills were severally read a third time and passed:

An act to provide for the removal of seats of justice,

An act respecting wills,

An act to declare a certain road a State road.

An act respecting a school township in St. Charles county.

Memorial to Congress in relation to graduating the price of the public lands,

The following House bills were severally read a third time and passed:

An act supplemental to an act to authorise the county court of Wayne county to borrow money, approved January 14th, 1845.

Memorial to Congress requesting the sale of fractions of land adjoining French and Spanish concessions.

The President laid before the Senate the following communication:

CITY OF JEFFERSON, February 13, 1845.

To the President of the Senate:

SIR—I have been requested to present to the Senate in the name of Edward Hatawa, Esq., two maps of the city of St. Louis, recently published by him; they will be of great service in the Senate in considering the proposition now pending which proposes to remodel the wards of said city.

One of them is colored, showing the wards as they at present exist, the other is uncolored, and can at the pleasure of the Senate be colored and made to conform to the action of the present General Assembly.

Most respectfully,

Your ob't. serv't.

WILLIAM MONROE.

On motion of Mr. Shelton,

Ordered that the maps be accepted, and the thanks of the Senate be presented to Mr. Hatawa.

On motion of Mr. Rawlins,

Ordered that the colored map be suspended in some suitable place in the Senate chamber.

The following House bills were severally read a first time, and ordered to a second reading:

An act for the benefit of the minor heirs of Sanford H. King, deceased.

An act relative to the district school township forty-four, in Cole county.

An act for the benefit of Benjamin Howard Payne.

An act to amend an act to incorporate the St. Louis Fire company, approved Feb. 12, 1841.

An act to view and mark out a state road in Dallas county.

An act to authorize Cecil D. Ball to erect a mill dam across little Osage river.

An act to authorize R. A. Ewing and Robert R. Jefferson, to erect a toll bridge across Moreau creek.

An act for the relief of C. W. McKissick of Holt county.

An act to provide for the payment of certain troops employed in the service of the State.

An act to change the name of Mary Jane Howard and Ferdinand her son.

The following House bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act for the benefit of Reuben Garnett.

Referred to the committee on the judiciary.

An act to define the southern boundary line of Shelby county.

Referred to a select committee consisting of Messrs. Reese, Gentry and Harper.

An act concerning mills, and millers and the rates of toll,

Committed to a committee of the Whole.

The House memorial entitled,

Memorial to Congress on the subject of retrenchment of the expenditures of the general government.

Was read a first time, the rule suspended and read a second time.

Mr. Detchemendy moved its reference to the committee on federal relations, Which was negatived.

Mr. Fort moved a suspension of the rules, and that the memorial be read a second time now,

Which was negatived, and

The memorial was ordered to a third reading.

The House bill entitled,

An act relating to juries,

Was read a first time, the rule suspended, and read a third time.

Mr. Harper moved to amend as follows:

Strike out the word "Montgomery" wherever it occurs in the bill.

Which was read and agreed to.

Mr. Hancock moved to amend as follows:

Strike out the word "counties" wherever it occurs in the bill, and insert "county," and strike out the word "and" wherever it occurs before the word "Montgomery."

Which was read and agreed to, and

On motion of Mr. Hancock,

The bill and amendments were referred to a select committee consisting of Messrs. Hancock, Shelton and Anderson.

The memorial from the House entitled,

Memorial to Congress on the subject of the national road,

Was read a first time, the rule suspended and read a second time.

Mr. Anderson moved its indefinite postponement,

Which was negatived, and

On motion of Mr. Rawlins, committed to a committee of the whole

The following House bills were severally read a first time, the rule suspended, read a second time, the rule further suspended, and read a third time and passed:

An act to establish a state road from Bolivar in Polk county, to Waynesville in Pulaski county.

An act to establish a State road in Livingston county.

An act declaring Black water a public highway.

An act to establish a State road from Savannah to Nodaway city.

An act to authorise Geo. Hobson and Stephen Hobson to erect a dam across the river 102, and Isaac A. Larning, a dam across Platte river.

An act to incorporate the Weston Athæneum.

An act to establish a branch of a state road in Benton county.

An act to establish a state road from the widow Crabtree's in Benton county, to Brown's point in Polk county.

An act to license and tax billiard tables.

An act to incorporate the city of Hannibal.

An act to close Randolph street in the town of Glasgow, and for other purposes.

An act to establish an academy in the town of Perryville.

An act to establish a state road from the town of Pattonsburgh in Daviess county, to St. Josephs, in Buchanan county.

Joint resolution for the benefit of the New York Historical Society.

The House bill entitled,

An act concerning roads and highways in the county of Wayne.

Was read a first time, and on motion, rejected.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. PRESIDENT:—

The House has passed the Senate bill entitled,

An act appointing commissioners to locate the permanent seat of justice of Mississippi county,

With an amendment, in which the concurrence of the Senate is requested.

The resolution from the House entitled,

Joint resolutions in relation to the distributive share of the proceeds of the sales of the public lands of the United States,

Was read a first time.

Mr. Fort moved to reject it,

And the question on its rejection was pending, when,

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Polk,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was —19.

Absent Messrs. Ellis, Hancock, Johnson, Reese, Shelton, Snell, Thompson and Welborn.

With leave, Mr. Lucas.

On committee, Mr. Jones.

Sick, Messrs. Campbell, Gentry and Massey.

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Hudspeth,

The Senate recurred to the order of propositions and motions.

And on his further motion,

The vote on the passage of the House bill entitled,

An act declaring Blackwater a public highway,
 Was reconsidered, and
 On motion of Mr. Powers,
 The bill was laid on the table.
 On motion of Mr. Netherton,
 The amendments of the House to the bill entitled,
 An act appointing commissioners to locate the permanent seat of justice of
 Mississippi county,
 Were taken up and concurred in.
 The House resolution entitled,
 Joint resolution in relation to the distributive share of the proceeds of the
 sales of the public lands of the United States,
 Was taken up—Mr. Fort withdrew his motion to reject, and
 On motion of Mr. Fort,
 The resolution was indefinitely postponed by the following vote:

Yeas—Messrs. Acock, Detchemendy, Fort, Hancock, Harper, Hudspeth,
 Johnson, Miller, Powers, Shelton, Snyder, Thompson, Welborn and Wolfskill
 —14.

Nays—Messrs. Anderson, Blythe, Boggs, Calhoun, Ellis, Harris, Mills, Neth-
 erton, O'Bryan, Polk, Rawlins, and Snell—12.

Absent, Mr. Reese.

With leave, Mr. Lucas.

On committee, Mr. Jones.

Sick, Messrs. Campbell, Gentry and Massey.

On motion of Mr. Fort,

Ordered that a committee of conference be appointed, to consist of three on
 the part of the Senate, to join such committee as may be appointed on the part
 of the House, to take into consideration the disagreement of the two Houses on
 the second amendment of the Senate to the House bill entitled,

An act respecting the attorney general, circuit and county attornies.

Whereupon the President announced Messrs. Fort, Hancock and Wolfskill,
 as the committee on the part of the Senate.

On motion, the Senate agreed to the first amendment of the House to said bill.

The third amendment of the House of Representatives to the Senate bill en-
 titled,

An act respecting constables,

Was taken up and read.

Mr. Boggs moved to amend the amendment of the House as follows:

Strike out all after the words "13th section in the second line of the amend-
 ment," which was read, and

On motion of Mr. Acock,

Rejected by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Calhoun, Ellis, Fort, Hancock, Har-
 per, Harris, Hudspeth, Johnson, Mills, Netherton, O'Bryan, Polk, Powers, Shel-
 ton, Snyder and Welborn—19.

Nays—Messrs. Boggs, Rawlins, Snell and Thompson—5.

Absent—Messrs. Detchemendy, Miller and Reese.

Absent, with leave, Mr. Lucas,

On committee, Mr. Jones.

Sick, Messrs. Campbell, Gentry and Massey.

Mr. Acock moved to agree to the amendment of the House,
Which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Calhoun, Ellis, Fort, Hancock, Harper, Harris, Johnson, Mills, Netherton, O'Bryan, Polk, Shelton Snyder and Welborn—17.

Nays.—Messrs. Boggs, Hudspeth, Miller, Powers, Rawlins, Snell, Thompson and Wolfskill—8.

Absent, Mr. Detchemendy and Reese.

With leave, Mr. Lucas.

On committee Mr. Jones.

Sick, Messrs. Campbell, Gentry and Massey.

Mr. Mills, from the select committee, to whom was referred the petition of the Mound Fire company, reported a bill entitled,

An act to incorporate the Mound Fire Company of St. Louis.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time to-morrow.

Mr. Mills, on leave, introduced a bill entitled,

An act concerning the paymaster of the 1st Regiment of Militia in St. Louis county.

Which was read a first time, the rules suspended, read a second time, considered as engrossed, the rules further suspended, and read a third time and passed.

Mr. Polk, on leave, introduced a bill entitled,

An act to move a certain state road in Pulaski county.

Which was read a first time, the rule suspended, read a second time, and referred to a select committee consisting of Messrs. Hudspeth, Polk and Rawlins.

On motion of Mr. Fort,

The joint resolution entitled:

Joint resolution to authorize the Governor to contract with G. C. Bingham to paint a historical picture,

Was taken up,

And on his further motion laid on the table.

Mr. Fort on leave introduced,

Joint resolution authorizing the Governor to contract with G. C. Bingham to paint a historical picture.

Which was read a first time.

Mr. Snell moved its rejection,

Which was negatived, and

The rule was suspended and the resolution read a second time, when

On motion of Mr. Thompson,

It was indefinitely postponed by the following vote:

Yeas—Messrs. Acock, Calhoun, Hancock, Harper, Johnson, Netherton, O'Bryan, Polk, Rawlins, Shelton, Snell, Snyder Thompson and Welborn—14.

Nays—Messrs Anderson, Blythe, Boggs, Ellis, Fort, Harris, Hudspeth, Miller, Mills, Powers and Wolfskill—11.

Absent—Messrs. Detchemendy and Reese.

With leave—Mr. Lucas.

On committee, Mr. Jones.

Sick—Messrs. Campbell, Gentry and Massey.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *February 14, 1845.*

The Senate met pursuant to adjournment.

On motion of Mr. Polk,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 16.

Absent, Messrs. Anderson, Calhoun, Detchemendy, Ellis, Fort. Harris, Miller, Mills, Netherton, Reese, Shelton and Welborn.

With leave, Mr. Lucas.

On committee, Mr. Jones.

Sick, Messrs. Campbell and Gentry.

A quorum having appeared, on motion, all further proceedings under the call were dispensed with.

Mr. Massey presented the petition of the proprietors of the town of Oregon in Dade county, praying for the passage of an act to annul and make void the survey of said town.

Which was read and referred to a select committee consisting of Messrs. Massey, Powers and Reese.

Mr. Reese, from the joint committee on revision, reported without amendment a bill entitled,

An act to define the jurisdiction and regulate proceedings of justices in cases of breach of peace.

Which was read a first time, the rule suspended, read a second time, and committed to a committee of the whole.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act appointing commissioners to locate the seat of justice of Mississippi county.

An act for the benefit of James Love.

An act concerning contracts and promises.

An act for the relief of A. A. Laforge.

An act to establish recorder's offices.

An act respecting salvage.

An act regulating the office of sheriff and marshal.

Mr. Polk, from the select committee, to whom was referred the bill entitled,

An act to collect revenue on merchandize,

Reported it back without amendment, and recommended its reference to a committee of the whole.

The report of the committee was read and agreed to.

Mr. Polk moved that the bill be ordered to be printed.

Which was negatived.

Mr. Boggs, from the select committee to whom was referred the House bill entitled,

An act to view and mark out a State road in Jackson county.

Reported it to the Senate, and recommended its passage.

The report was read and agreed to, and the bill as amended, read a third time and passed.

Mr. Hancock, from the select committee, to whom was referred the House bill entitled,

An act relating to juries,

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendment were read and agreed to, and

The bill as amended was read a third time and passed.

Mr. Fort from the select committee to whom was referred a resolution of instruction in relation to the necessary repairs of the Governor's House, reported a bill entitled,

An act to appropriate money to repair the Governor's House.

Which was read a first time and ordered to a second reading.

Mr. Jones from the select committee to whom was referred the joint resolution to authorise the Secretary of State to purchase certain copies of the digest of the decisions of the Supreme court, reported a bill entitled,

An act to authorise the Secretary of State to purchase certain copies of the Digest of the Decisions of the Supreme Court.

Which was read a first time.

Mr. Acock moved its rejection,

Which was negatived, and

On motion of Mr. Jones, the rules were suspended and the bill read a second time, when

On motion of Mr. Fort, it was indefinitely postponed, by the following vote:

Yeas—Messrs. Acock, Anderson, Fort, Hancock, Harris, Johnson, Miller, Netherton, Powers, Rawlins, Snell, Snyder, Welborn and Wolfskill—14.

Nays—Messrs. Blythe, Boggs, Ellis, Harper, Hudspeth, Jones, Massey, Mills, O'Bryan, Polk, Reese, Shelton and Thompson—13.

Absent, Messrs. Calhoun and Detchemendy.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. President:

The following bills have passed the House of Representatives:

An act to revive "an act to establish a State road in the counties of Franklin, Gasconade and Osage.

An act amendatory of an act to authorize improvements in the Penitentiary, approved Feb. 28th, 1843, and of an act concerning the government and discipline of the Penitentiary, approved Feb. 20th, 1843.

The following Senate bills have passed the House of Representatives:

An act for the benefit of the heirs of John D. Foster, deceased.

An act to defray the expenses of celebrating the 8th January, 1845.

An act to provide for the surrender and cancellation of certain bonds of the State of Missouri, and for the issue of equivalent bonds therefor.

An act to provide for the sale of certain slaves.

An act to establish a state road.

An act granting certain powers to the county court of Ste. Genevieve county.

An act concerning the decisions of the supreme court.

An act to provide for the comfort and health of the members and officers of the General Assembly.

An act concerning the revenue.

An act for the relief of James Lusk.

An act to authorise the county court of Pulaski county to borrow the road and canal fund belonging to said county.

An act to incorporate the St. Louis public library association.

An act embracing a road law for St. Louis county.

An act to authorise the county court of Grundy county to sell sixteenth sections.

An act for the relief of John B. Starznegger.

An act to legalize the sale of certain township school lands in Howard county.

An act concerning landlords and tenants in the county of St. Louis.

An act respecting a State road in Randolph county.

An act regulating writs and process.

An act to authorize Isaac Waymire to erect a mill dam.

An act for the relief of Maria Carnes.

The following Senate bills have been rejected by the House of Representatives:

An act relating to the distribution of the road and canal fund.

An act to authorise Isaac C. Matson, to peddle without license.

An act for the benefit of John Highley, sen.,

The House has agreed to the amendments of the Senate to the House bills entitled,

An act concerning divorce and alimony,

An act to establish a State road from Boonville to Georgetown.

An act allowing fees to clerks in certain cases.

An act to establish a State road from Georgetown to Lexington.

An act to regulate marks and brands.

A memorial to Congress asking the improvement of the Neosho or Grand river of the Arkansas and removal of restrictions on products conveyed through the Indian countries.

The House has disagreed to the amendment of the Senate to the House bill entitled,

An act to authorize the sheriff of Cole county in certain cases to make deeds for lands sold for taxes.

The House has amended the amendment of the Senate to the House bill entitled,

An act to establish a State road between Weston and St. Josephs.

The House of Representatives has concurred in the resolution of the Senate, appointing a joint committee to adjust judicial circuits.

Messrs. Hughes, Kelsay, Davis, Porter, Richmond, Holden, Ballou, Bay, Hough, Stringfellow, Miller, Finch, Parker and Williams have been appointed on said committee.

The Speaker has signed the enrolled bill entitled,

An act to provide for the organization of certain counties,

The Speaker has signed the bills entitled,

An act appointing commissioners to locate the seat of justice of Mississippi county and for other purposes.

An act establishing recorders offices.

An act respecting salvage.

An act regulating the office of sheriff and marshall.

An act concerning contracts and promises.

An act for the benefit of James Love.

An act for the relief of A. A. Laforge.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

Mr. Reese on leave introduced a bill entitled,

An act to define the boundaries of Putnam county and to organize the same.

Which was read a first time the rule suspended, read a second time, and referred to the select committee, to whom was referred the petitions from Jackson and Johnson counties on the subject of a new county.

Mr. O'Bryan moved to reconsider the vote by which the joint resolution authorising the Governor to contract with G. C. Bingham to paint a historical picture, was indefinitely postponed.

Which was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Calhoun, Ellis, Fort, Harris, Hudspeth, Miller, Mills, O'Bryan, Rawlins, Reese and Wolfskill—14.

Nays—Messrs. Acock, Hancock, Harper, Johnson, Massey, Netherton, Polk, Powers, Shelton, Snell, Snyder, Thompson and Welborn—13.

Absent, Mr. Detchemendy.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

Excused from voting, Mr. Jones.

On motion the resolution was laid on the table.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 13. 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act providing for the election of a commissioner of the permanent seat of government and for other purposes.

An act to provide for building bridges.

An act relative to insane persons.

An act concerning inquests.

An act concerning the office of county surveyor.

An act concerning seed horses.

An act to authorise the county court of Boone county to pay over certain monies to the order of the county court of Callaway county.

An act to enable persons held in slavery to sue for their freedom.

An act concerning coroners.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Mr. Fort on leave introduced a bill entitled,

An act to organize Bourbon county,

Which was read a first time, the rule suspended and read a second time.

On motion of Mr. Fort, the bill was amended by striking out the words Bourbon, wherever it occurs in the bill, and inserting in lieu thereof the word "Fulton," and

On motion of Mr. Blythe, the bill was referred to the select committee to whom was referred the petitions from Jackson and Johnson counties on the subject of a new county.

Mr. Harris presented on leave, two remonstrances, from sundry citizens of Monroe county remonstrating against the organization of the new county proposed in the bill introduced by Mr. Fort,

Which were on motion referred to the same select committee to whom said bill was referred.

On motion of Mr. Anderson,

The vote by which the bill entitled,

An act to authorise the Secretary of State to purchase certain copies of the digest of the decisions of the Supreme Court,

Was indefinitely postponed, was reconsidered, and

On motion of Mr. Fort,

The bill was committed to a committee of the Whole.

Mr. Acock submitted the following:

1st. Resolved, That the committee on revision on the part of the Senate be instructed, to oppose all amendments of every kind to any of the acts reported by the commissioners on revision, and that they use their best exertions to have all the revised acts reported forthwith without amendment.

2. That the said committee on the part of the Senate report as early as possible, the number of acts and their title of the revised laws now before said committee,

Which was read.

Mr. Rawlins from the committee on enrolled bills reported that the committee had this day presented to the Governor, for his approval and signature bills entitled,

An act appointing commissioners to locate the seat of justice of Mississippi county.

An act respecting salvage.

An act establishing recorder's offices.

An act regulating the office of sheriff and marshall.

An act concerning contracts and promises.

An act for the relief of A. A. Laforge.

An act for the benefit of James Love.

The question was pending on the adoption of Mr. Acock's resolution, when

On motion, the Senate adjourned till 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Polk,

A call of the House was ordered,

The roll being called,

The number of Senators answering to their names was 17.

Absent, Messrs. Boggs, Calhoun, Detchemendy, Ellis, Hancock, Massey, Miller, Mills, Reese and Shelton.

With leave, Mr. Lucas.

Sick, Messrs. Campbell, Gentry and Johnson.

A quorum being present, all further proceedings under the call were dispensed with.

Mr. Acock's resolution being under consideration,

Mr. Anderson offered the following substitute:

Resolved, That the joint committee of revision on the part of the Senate, be and they are hereby instructed, and on the part of the House requested, hereafter to compare all bills for revision as received from the hands of the commissioners, and report the same as corrected or found to be correct and without amendment.

Which was read and agreed to, and

The resolution as amended was adopted by the following vote:

Yeas—Messrs. Acock, Anderson, Hancock, Harper, Hudspeth, O'Bryan, Polk, Powers, Rawlins, Snyder, Thompson and Wolfskill—12.

Nays—Messrs. Blythe, Boggs, Calhoun, Fort, Harris, Jones, Netherton, Reese, Shelton and Welborn—10.

Absent. Messrs. Detchemendy, Ellis, Massey, Miller, Mills and Snell.

Absent with leave—Mr. Lucas.

Sick, Messrs. Campbell, Gentry and Johnson.

Mr. Jones, from the select committee appointed by the two Houses to settle with the Auditor of Public Accounts, made a report in which the committee expressed themselves satisfied with the correctness of his accounts.

The report was read and agreed to.

On their several motions, Messrs. Reese, Fort, Jones, Welborn and Powers were excused from serving on the committee of revision.

The following House bills were severally read a second time and ordered to a third reading.

An act relative to the district school township 44 in Cole county.

An act to authorize Cecil D. Ball to erect a dam across Little Osage river.

An act for the benefit of Benjamin Howard Payne.

An act to view and mark out a state road in Dallas county.

An act to provide for the payment of certain troops employed in the service of the State—on Monday next.

The following House bills were severally read a second time, the rule suspended and read a third and passed.

An act for the benefit of the minor heirs of Sanford H. King, deceased.

An act to amend an act to incorporate the St. Louis Fire company, approved Feb. 12, 1841.

An act to authorize Robert A. Ewing and Robert R. Jeffersoa to erect a toll bridge across the Moreau creek.

An act to change the name of Mary Jane Howard and Ferdinand her son.

The memorial from the House of Representatives entitled,

Memorial on the subject of retrenchment of the expenditures of the general government.

Was read a second and third times, and

The question on its passage was determined in the negative by the following vote:

Yeas—Messrs. Acock, Blythe, Harris, Jones, Netherton and Thompson—6.

Nays—Messrs. Anderson, Boggs, Calhoun, Ellis, Fort, Hancock, Harper, Hudspeth, Massey, Miller, Mills, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—21.

Absent—Mr. Detchemendy.

With leave, Mr. Lucas.

Sick, Messrs. Campbell, Gentry and Johnson.

The House bill entitled,

An act to change a portion of the line dividing the counties of Camden and Miller,

Was read a third time and laid on the table.

The House bill entitled,

An act for the relief of C. W. McKissick of Holt county,

Was read a second time, the rule suspended, and read a third time, and

The question on its passage was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Blythe, Calhoun, Fort, Hudspeth, Jones, Netherton, O'Bryan, Polk, Snell, Snyder, Thompson and Welborn—13.

Nays—Messrs. Anderson, Boggs, Ellis, Hancock, Harper, Harris, Massey, Miller, Mills, Powers, Rawlins, Reese, Shelton and Wolfskill—14.

Absent, Mr. Detchemendy.

With leave, Mr. Lucas.

Sick, Messrs. Campbell Gentry and Johnson.

On motion of Mr. Hudspeth,

The Senate resolved itself into committee of the whole,

Mr. Boggs in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration

Joint resolutions proposing amendments to the constitution of the State of Missouri, in relation to the office of Auditor of Public Accounts, and the Secretary of State.

Which they had refused to report to the Senate for its further action thereon.

Also, a bill entitled,

An act amendatory of an act entitled an act to concentrate the Supreme court, together with the substitute therefor.

Had made some progress therein, and asked leave to sit again.

The report was agreed to.

Message from the House of Representatives, by Mr. Huston, assistant clerk.

MR. PRESIDENT:

The Speaker of the House of Representatives has signed the following enrolled bills

An act to enable the Auditor of Public Accounts to settle with the collectors of the revenue.

An act to establish a state road from Brunswick in Chariton county, to Savannah in Andrew county.

An act for the relief of the heirs of Daniel Clare.

An act to extend the corporate limits of the town of Columbia, in Boone county, and for other purposes,

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

And they were transmitted to the House of Representatives.

Mr. Miller, on leave, introduced a bill entitled

An act concerning Clarissa Williams, a free woman of color.

Which was read a first time, the rule suspended and read a second time, and

On motion of Mr. Rawlins,

Was referred to the committee on the Judiciary.

On motion, the Senate adjourned until to-morrow morning, at 9 o'clock.

SATURDAY MORNING, *February* 15, 1845.

The Senate met pursuant to adjournment.

Mr. Hudspeth presented the petition of the securities of Robert Wood, late collector of Pulaski county, praying for the release of the penalty incurred by the default of said collector, in not paying in the revenue for the year 1842, which was read and referred to a select committee, consisting of Messrs. Hudspeth, Blythe and Detchemendy.

Mr. Ellis, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act to incorporate the Mound Fire company of St. Louis.

An act to remove a mill dam from the west fork of North Grand river.

An act to establish a State road in Pike county.

Mr. Fort, on leave, introduced a bill entitled,

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor.

Which was read a first time, the rule suspended, read a second time, and referred to the committee of ways and means.

Mr. Wolfskill, on leave, introduced a bill entitled,

An act to view and mark out a state road from Carrolton to Chillicothe.

Which was read a first time, the rules suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

On motion of Mr. Jones,

Resolved, That the committee appointed to settle with the Auditor be authorised to employ a clerk to cancel the vouchers of the auditors warrants, and other papers required to be cancelled and examined by them in the auditor's office.

On motion of Mr. Miller,

The vote by which the Senate refused to pass the memorial from the House entitled,

Memorial to Congress on the subject of retrenchment of the expenditures of the General Government,

Was reconsidered by the following vote:

Yeas—Messrs. Acock, Blythe, Calhoun, Fort, Hudspeth, Jones, Miller, Netherton, O'Bryan, Rawlins, Reese, Shelton, Snell, Snyder and Welborn—13.

Nays—Messrs. Anderson, Boggs, Detchemendy, Hancock, Harper, Harris, Johnson, Massey, Polk, Powers, and Wolfskill—11.

Absent, Messrs. Ellis, Mills, and Thompson.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

Whereupon, on motion of Mr. Massey,

The memorial was referred to the next General Assembly.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, a bill entitled,

An act for the relief of James Lusk.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President:

The following Senate bills have passed the House of Representatives:

An act to amend "an act to incorporate the Boonville Fire company," approved Feb. 11th, 1839.

An act to provide for erecting a tomb over the remains of his Excellency, Thomas Reynolds, late Governor of Missouri.

An act to incorporate the Franklin Fire company of St. Louis.

An act concerning a State road.

An act to restrain intercourse with Indians.

An act for the benefit of Adolph Caltner.

An act to vacate Peak's and Henning's addition to the town of St. Francisville, in the county of Clark.

An act to vacate a part of waterstreet in Wayland's addition to the town of St. Francisville, in Clark county.

An act to amend an act to provide for the payment of certain troops employed in the service of the State in the year 1836, approved Feb. 25, 1843.

An act for the relief of Cyrus H. Frost, late sheriff of Crawford county.

An act allowing suits against officers for services rendered under illegal orders.

An act to incorporate the St. Vincents Free School of St. Louis.

An act to incorporate the Orphans Home.

The following Senate bills have been amended and passed by the House of Representatives, as amended.

An act to pay the Adjutant General for extra services imposed by the last General Assembly.

An act to pay Solomon L. Leonard for selecting lands.

The House has passed the following bills:

An act amendatory of an act to establish a State road from Farmington to St. Louis.

An act to authorize Woods, Estill and Hughes, to erect a dam across Platte river.

An act to authorize Johnson and Swain to erect a dam across Platte river.

An act to further organize the county of Manitou.

An act to authorize the county courts of Clay, Ray, Jackson and Lafayette counties to execute certain trusts.

The House of Representatives has concurred in the amendment of the Senate to the House bill entitled,

An act relating to juries.

The House of Representatives has concurred in the amendment of the Senate to the amendment of the House to the Senate bill entitled,

An act concerning divorce and alimony.

The following bills have been reported to the House from the revising committee.

An act concerning evidence.

An act respecting vagrants.

An act concerning writs of quo warranto.

An act concerning prison bounds.

An act to regulate sales of sixteenth sections.

An act for the abolishment of imprisonment for debt.

An act to provide for the institution and support of a State University.

An act concerning dower.

An act to regulate practice in courts of chancery.

An act concerning mortgages.

An act concerning guardians, curators and minors.

An act for the incorporation of towns, and to prevent the circulation of town and city scrip.

An act concerning grand and petit jurors.

The Speaker has signed the enrolled bill entitled,

An act for the relief of James Lusk

Whereupon the President of the Senate signed said enrolled bill.

The bill entitled,

An act to appropriate money to repair the Governor's House,

Was read a second time, ordered to be engrossed, and read a third time on Monday next.

The bill entitled,

An act to remove a mill dam from the west fork of North Grand river,

Was read a third time, and referred to a select committee consisting of Messrs. Wolfskill, Ellis, Johnson, Blythe and Thompson.

The following bill was read a third time and passed:

An act to establish a State road in Pike county.

The bill entitled,

An act to incorporate the mound fire company of St. Louis,

Was read a third time.

Mr. Massey moved to amend as follows by way of rider to come in as an additional section:

Each and every one of the individuals herein incorporated shall be liable in their individual capacity for any and all debts contracted by said corporation.

Which was read, and

On motion of Mr. Anderson, rejected, and

The question on the passage of the bill was determined in the affirmative.

The following House bills were severally read a third time and passed.

An act to view and mark out a State road in Dallas county.

An act to authorise Cecil D. Ball to erect a dam across little Osage river.

On motion of Mr. O'Bryan,

The House bill entitled,

An act declaring Blackwater a public highway,

Was taken up and read.

Mr. O'Bryan moved to amend by way of ryder, to come in as a second section.

Sec. 2. This act shall not be so construed as to prejudice the interest, or impair the rights of those who may have constructed, or are now constructing mill dams across said streams.

Which was read, and

On motion of Mr. Fort,

The bill and ryder were indefinitely postponed,

On motion of Mr. Massey, the House bill entitled,

An act concerning slaves,

Was taken up and read a third time.

The ryder offered by Mr. Massey on the 16th of January being under consideration, the same was read a second time.

The question on ordering the ryder to a third reading was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, O'Bryan, Powers, Snell, Snyder and Welborn—19.

Nays—Messrs. Acock, Harper, Harris, Polk, Rawlins, Reese and Shelton—8.

Absent, Messrs. Mills and Thompson.

With leave, Mr. Lucas.

Sick, Messrs. Campbell and Gentry.

The ryder was read a third time, and

The bill as amended, passed.

Mr. Hudspeth moved that the Senate resolve itself into committee of the Whole,

Which was negatived.

Mr. Anderson, asked and obtained leave of absence for Mr. Mills for a few days.

Mr. Boggs on leave of the Senate introduced the following:

Resolved, That the House of Representatives be requested to grant the Senate permission to withdraw from the House so much of the message of the Senate as communicates to that body the rejection of the House bill entitled, An act for the relief of C. W. McKissick, and that the House of Representatives be also requested to return said bill to the Senate.

Which was read and adopted.

The House bill entitled,

An act to further organize the county of Moniteau,

Was taken up and read a first time; the rule suspended and read a second time,

Mr. Miller moved to amend as follows:

Strike out all of the proviso of the sixth section, and add the following as an additional section to come in after the 6th section.

Sec. 7. Upon the requisition of the county court of Moniteau county, the county clerk of Cole county, shall deliver to the clerk of the county court of Moniteau county, the papers and vouchers referred to in the last preceding section, the requisition thus made shall be filed in the clerk's office of Cole county,

together with the receipt of the clerk of the county court of Moniteau county.

Which was read a first and second time and agreed to, and the bill as amended was read a third time and passed.

The President laid before the Senate the following communications from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 14, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles to wit:

An act concerning contracts and promises.

An act for the relief of A. A. Laforge.

An act for the benefit of James Love.

An act respecting salvage.

I am very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

CITY OF JEFFERSON, February 13, 1845.

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles:

An act appointing commissioners to locate the permanent seat of justice of Mississippi county, and for other purposes.

An act concerning boatmen.

An act concerning descents and distributions.

An act to provide for the support of the poor.

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The following House bills were severally read a first time, the rule suspended, and read a second time, the rule further suspended, and read a third time and passed.

An act amendatory of an act to establish a State road from Farmington to Saint Louis.

An act to authorise the county court of Clay, Ray, Jackson and Lafayette counties to execute certain trusts.

An act to authorise Wood, Estill and Hughes to erect a dam across Platte river.

The following House bills were severally read a first time, the rule suspended, and read a second time and disposed of as follows:

An act amendatory of an act to authorize improvements in the Penitentiary, approved, February 23, 1843, and of an act concerning the government and discipline of the Penitentiary, approved February 20th, 1843.

Referred to the committee on the penitentiary.

An act to revive an act to establish a state road in the counties of Gasconade, Osage and Franklin.

Ordered to a third reading on Monday next.

The amendment of the House to the Senate bill entitled,

An act to pay Solomon L. Leonard for selecting lands,

Was taken up, and

On motion of Mr. Thompson, disagreed to.

The amendment of the House to the Senate bill entitled,

An act to pay the adjutant general for extra services, imposed by the last General Assembly, was taken up, and

On motion of Mr. Massey, disagreed to, by the following vote:

Yeas—Messrs. Acock, Boggs, Calhoun, Fort, Harper, Harris, Massey, Netherton, O'Bryan, Powers, Rawlins, Snell, Snyder, Welborn and Wolfskill—15.

Nays—Messrs. Anderson, Blythe, Ellis, Hancock, Hudspeth, Johnson, Jones, Miller, Polk, Reese, and Thompson—11.

Absent, Mr. Detchemendy,

With leave, Messrs. Mills and Lucas.

Sick, Messrs. Campbell and Gentry.

On motion of Mr. Miller, the Senate insisted on its amendment to the House bill entitled,

An act concerning the sheriff of Cole county.

The amendment of the House to the Senate's amendment to the House bill entitled,

An act to establish a State road between Weston and St. Josephs,

Was taken up and agreed to.

Mr. Jones offered the following:

Resolved, That a committee of seven be appointed by the President whose duty it shall be to act in conjunction with the committee on revision appointed by the House of Representatives, and that said committee shall not consist of any persons heretofore appointed on said committee.

On motion of Mr. Hancock,

The resolution was amended by striking out all after the word "Representatives."

Which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Calhoun, Hancock, Harper, Johnson, Massey, Netherton, O'Bryan, Rawlins, Snyder, Thompson and Wolfskill—14.

Nays—Messrs. Blythe, Ellis, Fort, Harris, Hudspeth, Jones, Miller, Polk, Powers, Reese, Snell and Welborn—11.

Absent—Messrs. Detchemendy and Shelton.

With leave—Messrs. Lucas and Mills.

Sick—Messrs. Campbell and Gentry.

Mr. Rawlins moved to lay the resolution on the table,

Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Calhoun, Ellis, Hancock, Harper, Harris, Johnson, Massey, Powers, Rawlins and Snyder—12.

Nays—Messrs. Blythe, Boggs, Fort, Hudspeth, Jones, Miller, Netherton, Polk,

Reese, Snell, Thompson, Welborn and Wolfskill—13.

Absent, Messrs. Detchemendy, O'Bryan and Shelton.

With leave, Messrs. Lucas and Mills.

Sick, Messrs. Campbell and Gentry.

The question then recurred on the adoption of the resolution, which was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Calhoun, Fort, Harris, Hudspeth, Jones, Miller, Netherton, Polk, Reese, Snell and Welborn—14.

Nays—Messrs. Acock, Ellis, Hancock, Harper, Johnson, Massey, Powers, Rawlins, Snyder, Thompson and Wolfskill—11.

Absent, Messrs. Detchemendy, O'Bryan and Shelton.

With leave, Messrs. Lucas and Mills.

Sick, Messrs. Campbell and Gentry.

Whereupon the President announced Messrs. Acock, Anderson, Massey, Boggs, Ellis, Netherton and Rawlins as the committee under said resolution.

On their several motions, Messrs. Acock, Rawlins and Boggs, were excused from serving on said committee.

Mr. Thompson moved to adjourn,

Which was negatived.

Mr. Snyder gave notice that he would on Monday or some subsequent day, ask leave to introduce a bill to legalise certain acts of the county court of Cape Girardeau county.

Mr. Miller, on his motion, was excused from serving on the committee of revision.

The President appointed Messrs. Snyder, Johnson and Thompson to fill the vacancies occasioned in the committee under Mr. Jones' resolution.

Mr. Polk offered the following:

Resolved, That the resolution heretofore offered and adopted, requiring the committee on revision to report the bills under their consideration without amendment, be rescinded, erased and expunged.

Mr. Rawlins moved its indefinite postponement.

Mr. Snyder moved to adjourn,

Which was negatived by the following vote:

Yeas—Messrs. Calhoun, Netherton, Powers, Snyder and Thompson—5.

Nays—Messrs. Acock, Anderson, Blythe, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, O'Bryan, Polk, Rawlins, Reese, Welborn and Wolfskill—19.

Absent, Messrs. Detchemendy, Shelton and Snell.

With leave, Messrs. Lucas and Mills.

Sick, Messrs. Campbell and Gentry.

The question was then taken on the indefinite postponement of Mr. Polk's resolution, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Hancock, Harper, Harris, Johnson, Massey, O'Bryan, Powers, Rawlins, Snyder, Thompson and Wolfskill—13.

Nays—Messrs. Blythe, Boggs, Calhoun, Ellis, Fort, Hudspeth, Jones, Miller,

Netherton, Polk, Reese and Welborn—12.

Absent, Messrs. Detchemendy, Shelton and Snell.

With leave, Messrs. Lucas and Mills.

Sick, Messrs. Campbell and Gentry.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, a bill entitled,

An act for the relief of James Lusk.

Mr. Polk moved a reconsideration of the vote by which—was adopted the resolution requiring the committee on revision to report all bills in their possession without amendment.

On motion of Mr. Reese,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 24.

Absent, Messrs. Shelton and Snell.

With leave, Messrs. Lucas and Mills.

Sick, Messrs. Campbell, Detchemendy and Gentry.

On motion, all further proceedings under the call were dispensed with.

The question was pending on the motion to re-consider, when

On motion the Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, *February* 17, 1845.

The Senate met pursuant to adjournment.

Mr. Campbell presented the petition of sundry citizens of the town of Palmyra in Marion county, praying for an act of incorporation of said town.

Also, two remonstrances against the incorporation thereof.

Which were, on motion of Mr. Campbell, severally referred to a select committee consisting of Messrs. Campbell, Lucas and Shelton.

Mr. Shelton presented two petitions from sundry citizens of St. Charles and Lincoln counties, in relation to the state road leading from St. Charles to Troy.

Which were, on motion, referred to a select committee consisting of Messrs. Shelton, Harper and Reese.

Mr. Lucas presented the remonstrance of certain citizens of St. Louis county, remonstrating against the separation of the office of recorder from that of county clerk, in said county of St. Louis.

Which was, on motion, referred to the select committee to whom was referred a petition on the same subject.

Mr. Jones, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act appropriating money to repair the Governor's house.

Mr. Reese, from the select committee, to whom was referred the report of Mr. Fort, who was appointed by the General Assembly to demand the State bonds in the possession of the Bank of Missouri, reported it to the Senate with the recommendation that it be agreed to; and also reported the following resolution:

Resolved by the Senate, the House of Representatives concurring therein:

That a committee of on the part of the Senate, be appointed to join such committee as may be appointed on the part of the House, whose duty it shall be

first, to count the bonds of the State withdrawn from the bank, and then cancel the same by writing across the face of each the words, "cancelled by order of the General Assembly" in red ink, and cross scoring the same, with some suitable instrument for that purpose, and afterwards depositing said bonds, so cancelled, with the Auditor of Public Accounts for safe keeping, and report to their respective Houses.

On motion of Mr. Anderson,

The blank in the resolution was filled with the word two.

The report was agreed to, and the resolution as amended, was adopted.

Whereupon the President announced Messrs. Reese and Fort, as said committee on the part of the Senate.

Mr. Massey, on leave, introduced a bill entitled,

An act supplementary to "an act to provide for the organization of certain counties," approved Feb. 15, 1845.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and ordered to a third reading.

Mr. Hancock, on leave, introduced a bill entitled,

An act concerning the road and canal fund of Camden county.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed and read a third time to-morrow.

The following bills were, on leave, severally introduced, read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

By Mr. Snyder:

An act legalizing certain acts of the county court of Cape Girardeau county.

By Mr. Polk:

An act to locate the county seat of Ripley county.

Mr. Jones offered the following:

Resolved, by the Senate, the House of Representatives concurring therein:

That the present session of the General Assembly do adjourn *sine die* on the 15th day of March next.

Which was read, and

On motion of Mr. Fort,

Laid on the table, by the following vote:

Yeas—Messrs. Blythe, Boggs, Detchemendy, Ellis, Fort, Harper, Hudspeth, Johnson, Miller, Netherton, O'Bryan, Snyder, Thompson, Welborn and Wolf-skill—15.

Nays—Messrs. Acock, Anderson, Campbell, Calhoun, Harris, Jones, Lucas, Massey, Polk, Powers, Rawlins, Reese, Shelton and Snell—14.

Absent, Mr. Hancock.

With leave, Mr. Mills.

Sick, Mr. Gentry.

The bill entitled,

An act to appropriate money to repair the Governor's house,

Was read a third time.

Mr. Rawlins moved to amend by way of rider as follows:

Strike out the words "seven hundred," wherever they occur in the bill, and insert "three hundred and fifty," in lieu thereof.

Which was read a first time.

Mr. Fort moved its rejection,

Which was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Blythe, Detchemendy, Ellis, Fort, Hudspeth, Johnson, Miller, Netherton, O'Bryan, Reese and Thompson—12.

Nays—Messrs. Acock, Boggs, Campbell, Calhoun, Hancock, Harper, Harris, Lucas, Massey, Polk, Powers, Rawlins, Shelton, Snell, Snyder, Welborn and Wolfskill—17.

Absent—Mr. Jones.

Absent, with leave, Mr. Mills

Sick, Mr. Gentry.

The ryder was read a second time, and ordered to a third reading. When, on motion, the bill and ryder were laid on the table.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following Senate bills have passed the House of Representatives:

An act concerning the paymaster of the 1st Regiment of Militia in St. Louis county.

An act to declare a certain road a State road.

An act respecting a school township in St. Charles county.

The following bill has passed the House of Representatives:

An act to organise the county of De Kalb.

The House bill entitled,

An act for the relief of C. W. McKissick, of Holt county,

Is herewith returned to the Senate by the order of the House.

The following House bills were severally read a third time and passed:

An act to provide for the payment of certain troops employed in the service of the State.

An act to revive an act to establish a State road in the counties of Franklin, Gasconade and Osage.

Mr. Massey moved that the Senate resolve itself into committee of the whole. Which was negatived.

Mr. Boggs moved a reconsideration of the vote by which was rejected the House bill entitled,

An act for the relief of C. W. McKissick of Holt county.

Mr. Fort raised a point of order, that a subject could not be reconsidered after its communication to the House.

The President decided that it was in order.

Mr. Fort appealed from the decision of the Chair;

And upon the question being put, "shall the decision of the Chair stand as the judgment of the Senate," the same was determined in the affirmative.

The question on Mr. Boggs's motion to reconsider was determined in the affirmative, and

On motion of Mr. Shelton,

The bill was laid on the table by the following vote:

Yeas—Messrs. Anderson, Blythe, Campbell, Calhoun, Detchemendy, Ellis, Fort, Harper, Hudspeth, Lucas, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snell, Snyder, Welborn and Wolfskill—22.

Nays—Messrs. Acock, Boggs, Hancock, Harris, Johnson, Reese and Thompson—7.

Absent—Mr. Jones.

With leave—Mr. Mills.

Sick—Mr. Gentry.

On motion of Mr. Rawlins,

The Senate resolved itself into a committee of the whole, Mr. Rawlins in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That the committee had had under consideration a bill entitled,

An act amendatory of an act to concentrate the Supreme court.

Had amended the same, agreed to it as amended, and instructed him to report the same to the Senate for its further action thereon.

Mr. Miller moved to disagree to the report.

Mr. Massey moved to adjourn,

Which was negatived, when

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Anderson,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 27.

Absent, Messrs. Hudspeth and Snell.

Absent with leave, Mr. Mills.

Sick, Messrs. Campbell and Gentry.

The Sergeant-at-Arms was despatched to notify the absentees.

On motion of Mr Reese, all further proceedings under the call were dispensed with.

The question on agreeing to the report of the committee of the whole, being under consideration, the same was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Detchemendy, Harris, Hudspeth, Jones, Lucas, Netherton, O'Bryan, Polk, Reese, Shelton, Snell, Snyder and Welborn—15.

Nays—Messrs. Acock, Blythe, Calhoun, Ellis, Fort, Hancock, Harper, Johnson, Massey, Miller, Powers, Rawlins, Thompson and Wolfskill—14.

Absent with leave, Mr Mills.

Sick, Messrs. Campbell and Gentry.

On motion of Mr. Hudspeth,

The bill entitled,

An act amendatory of an act to concentrate the supreme court.

Was ordered to be engrossed,

Mr. Reese, from the select committee, to whom was referred the House bill entitled,

An act for the benefit of Reuben Garnett,

Reported it to the Senate and recommended its rejection.

The report was read and agreed to and the bill rejected.

On motion of Mr. Shelton,

The Senate resolved itself into a committee of the whole, Mr. Fort in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That the committee had had under consideration a bill entitled,

An act amendatory of an act entitled an act to provide for the selection and sale of the lands, granted to this State by act of Congress approved Sept. 4, 1841, approved Feb. 27th, 1843.

Had amended the same, agreed to it as amended, and had instructed him to report it to the Senate and recommended its passage.

The report was agreed to, and

On motion of Mr. Massey, the bill was ordered to be engrossed and read a third time on Thursday next.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, *February* 18, 1845.

The Senate met pursuant to adjournment.

On motion of Mr. Shelton,

Resolved, by the Senate, That having been informed of the melancholy bereavement of his Excellency Governor Edwards by the death of his sister, Miss Julia C. Edwards, whose burial will take place this morning at 10 o'clock; therefore from a proper sense of regard and respect for the deceased and her relatives, the Senate will now adjourn, until 2 o'clock P. M., and that the members of the Senate will attend the funeral of the deceased and join in the solemnities of her interment.

So the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Jones from the committee on engrossed bills, reported as truly engrossed bills entitled:

An act amendatory of an act, entitled an act to concentrate the Supreme court.

An act concerning the road and canal fund in Camden county.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act concerning arbitrations and references.

An act to vacate Peak's and Hennings' addition to the town of St. Francisville, in the county of Clark.

An act to vacate a part of Water street in Waylands addition to the town of St. Francisville in Clark county.

An act concerning the decisions of the supreme court.

An act regulating writs and process.

An act concerning perpetuating testimony.

An act for the benefit of John B. Sturznegger.

An act to declare a certain road a State road.

An act respecting a school township in St. Charles county.

An act to amend an act to incorporate the Boonville Fire company.

Mr. Boggs from the select committee to whom was referred the petition of

sundry citizens of Jackson and Johnson counties, praying for the organization of a new county, reported a bill entitled,

An act to organize the county of Donaldson.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed and read a third time to-morrow.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President:

The following bills have passed the House of Representatives:

An act to organize the county of Reynolds.

Joint resolutions restricting the salaries of bank officers.

The following Senate bills have passed the House of Representatives:

An act to lay off the State into congressional districts.

An act to provide for the payment of certain costs.

The House of Representatives has agreed to the amendments of the Senate to the House bill entitled,

An act to view and mark out a State road in Jackson county.

The Speaker has signed the enrolled bills entitled,

An act to regulate marks and brands.

An act to close Randolph street in the town of Glasgow, and for other purposes.

An act concerning the road and canal fund.

An act relating to juries.

An act to provide for the partition of lands and personal property.

An act to regulate practice in the Supreme court.

An act to establish a State road from Boonville to Georgetown.

An act to incorporate the fire wardens of the City of St. Louis.

An act concerning arbitrations and references.

An act to vacate Peak's and Henning's addition to the town of St. Francisville, in the county of Clark.

An act respecting a school township in St. Charles county.

An act concerning the decisions of the Supreme court.

An act to declare a certain road a State road.

An act regulating writs and process.

An act concerning perpetuating testimony.

An act for the relief of John B. Sturznegger.

An act to amend "an act to incorporate the Boonville Fire company," approved Feb. 11th, 1839.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Boggs from the select committee to whom was referred a bill entitled,

An act to organize Fulton county.

Reported it to the Senate without amendment.

The report was read and agreed to.

Mr. Snyder moved to refer the bill to the next General Assembly.

On motion of Mr. Boggs,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was —23.

Absent, Messrs. Anderson, Campbell, Calhoun, Detchemendy, Ellis, Johnson, and Netherton.

Absent with leave, Mr. Mills.

Sick, Mr. Gentry.

The Sergeant-at-arms was despatched to notify the absentees, and

On motion of Mr. Massey,

All further proceedings under the call were dispensed with, when

On motion of Mr. Shelton,

The bill was laid on the table.

Mr. Hudspeth, from the select committee to whom was referred the petition of the securities of Robert Wood, late collector of Pulaski county, reported a bill entitled.

An act for the relief of Robert Wood collector of Pulaski county,

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time and passed.

Mr. Massey, from the select committee to whom was referred the petition of the proprietors of the town of Oregon reported a bill entitled,

An act to annul the survey of the town of Oregon, in Lawrence county.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended and read a third time and passed.

Mr. Lucas, on leave, introduced a bill entitled

An act amendatory and supplementary of an act incorporating the St. Louis Gas light company, approved Feb. 4, 1837.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time.

Mr. Campbell, on leave, introduced a bill entitled,

An act for the relief of Willoughby Lane.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

The bill entitled,

An act amendatory of an act entitled an act to concentrate the Supreme court,

Was read a third time.

On motion of Mr. Snyder,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 29.

Absent, Mr. Detchemendy.

With leave, Mr. Mills.

Sick, Mr. Gentry.

On motion of Mr. Miller,

All further proceedings under the call were dispensed with.

Mr. Fort moved to amend the bill by way of ryder as follows:

Strike out the 4th section,

Which was read a first time.

Mr. Snyder moved its rejection, which was negatived.

The ryder was read a second time, considered as engrossed, the rule further suspended, and read a third time.

Mr. Miller moved to amend by way of ryder as follows:

Strike out of the second section the following counties, and attach the same to the the third section, to wit: Gasconade, Pulaski, Shannon, Decatur and Wright.

Which was read a first time, when

On motion of Mr. Snyder,

The bill and ryders were referred to a select committee consisting of Messrs. Snyder, Lucas and Welborn.

The bill entitled,

An act concerning the road and canal fund of Camden county,

Was read a third time and passed.

The following House bills were severally read a third time and laid on the table.

An act relative to the district school township 44 in Cole county.

An act for the benefit of Benjamin Howard Payne.

The bill entitled,

An act supplementary to an act to provide for the organization of certain counties, approved Feb. 15th, 1845,

Was read a third time and passed.

The following House bills were severally read a first time and ordered to a second reading.

An act to organize the county of De Kalb.

Joint resolutions restricting the salaries of bank officers.

The House bill entitled,

An act to organize the county of Reynolds.

Was read a first time, the rule suspended, read a second time, and ordered to a third reading.

On motion of Mr. Acock, the House bill entitled,

An act to change a portion of the line dividing the counties of Camden and Miller,

Was taken up, read a third time, and passed.

On motion of Mr. Anderson,

The Senate resolved itself into committee of the whole,

Mr. Anderson in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration

Bills entitled,

An act concerning bills of exchange and negotiable promissory notes, and

An act to regulate dram shops,

Had agreed to the same without amendment, and had instructed him to report them to the Senate for further action. Also,

An act regulating the interest of money,

Had not had any definite action thereon, and had instructed him to report progress, and ask leave to sit again.

The report was agreed to, and

On motion of Mr. Acock,

The bills reported to the Senate, were ordered to be engrossed.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, *February* 19, 1845.

The Senate met pursuant to adjournment.

Mr. Boggs presented the petition of sundry citizens of Lafayette county, praying for the organization of a new county,

Which was referred to the select committee, to whom was referred a petition from Jackson and Johnson counties on the same subject.

Mr. Harper presented the remonstrance of sundry citizens of this State against any change in the State road, leading from St. Charles to Troy, which was referred to the select committee to whom was referred a petition on the same subject.

Mr. Jones from the committee on engrossed bills reported as truly engrossed, bills entitled.

An act amendatory to an act entitled an act to provide for the selection and sale of the lands granted to this State by act of Congress approved September 4, 1841, approved February 27, 1843, and

An act to organize the county of Donaldson.

Mr. Rawlins from the committee on enrolled bills, reported that the commit-

tee had this day presented to the Governor for his approval and signature, bills entitled,

An act concerning arbitrations and references.

An act to vacate Peak's and Henning's addition to the town of St. Francisville in the county of Clark.

An act respecting school townships in St. Charles county.

An act concerning the decisions of the supreme court.

An act to declare a certain road a State road.

An act concerning perpetuating testimony.

An act for the relief of John B. Sturznegger.

An act regulating writs and process.

An act to amend an act to incorporate the Boonville Fire company, approved Feb. 11, 1839.

Mr. Acock, on leave, introduced a bill entitled,

An act supplemental and explanatory of an act entitled an act to provide for the organization of certain counties.

Which was read a first time, the rule suspended. read a second time, ordered to be engrossed, and read a third time to morrow.

The following House bills were severally read a second time, and ordered to a third reading on to morrow.

An act to organize the county of De Kalb.

Joint resolutions restricting the salaries of bank officers.

The House bill entitled,

An act to organise the county of Reynolds,

Was read a third time.

On motion of Mr. Acock,

A call of the House was ordered.

When the number of Senators answering to their names was—28.

Absent—Messrs. Anderson, Ellis and Reese.

With leave—Mr. Mills.

Mr. Detchemendy moved to dispense with all further proceedings under the call.

Which was negatived.

The sergeant at arms was despatched to notify the absentees.

The absentees having appeared,

On motion of Mr. Shelton,

All further proceedings under the call were dispensed with.

The question was then taken on the passage of the bill and was determined in the affirmative by the following vote.

Yeas—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Jones, Lucas, Miller, Netherton, Polk, Powers, Shelton, Snell and Thompson—17.

Nays—Messrs. Acock, Blythe, Campbell Gentry, Harper, Johnson, Massey, O'Bryan, Snyder, Welborn and Wolfskill—11.

Absent, Messrs. Harris, Rawlins and Reese.

With leave, Mr. Mills.

On motion of Mr. Fort, the bill entitled,

An act to organize Fulton county,

Was taken up and read a third time.

Mr. Rawlins moved to amend by way of ryder as follows:

Strike out all that portion of the bill which includes part of Howard county,

Which was read, and

On motion of Mr. Fort,

The bill and ryder were laid on the table.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 15. 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act for the relief of James Lusk

An act establishing recorder's offices.

An act regulating the office of sheriff and marshal.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Mr. Reese from the select committee to whom was referred a bill entitled,

An act to define the boundaries of Putnam county and organize the same,

Reported a substitute therefor.

The substitute and report were read and agreed to.

On motion of Mr. Reese the rule was suspended, and the bill as amended by the substitute was read a third time, when

The question on its passage was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Calhoun, Fort, Hancock, Hudspeth, Lucas, Nether-ton, Polk, Powers, Reese, Snell and Thompson—12.

Nays—Messrs. Acock, Blythe, Campbell, Gentry, Harper, Harris, Massey, Miller, O'Bryan, Rawlins, Shelton, Snyder, Welborn and Wolfskill—14.

Absent. Messrs. Anderson, Detchemendy, Ellis, Johnson and Jones.

Absent with leave—Mr. Mills.

Mr. Fort, from the select committee to whom was referred the House bill entitled,

An act to extend a State road from Mexico to Huntsville,

Reported it to the Senate with amendments, and recommended its passage.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The Speaker has signed the enrolled bill entitleds,

An act to establish a state road from the widow Crabtree's in Benton county, to Brown's point in Polk county.

An act to license and tax billiard tables.

An act to establish a branch of a state road in Benton county.

An act to incorporate the city of Hannibal.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

Mr. Campbell, from the select committee to whom was referred the petition of the inhabitants of Palmyra, in Marion county, praying for an act of incorporation; also, a remonstrance on the same subject, reported a bill entitled,

An act to incorporate the town of Palmyra in Marion county.

Which was read a first time, the rule suspended, read a second time, consid-

ered as engrossed, the rule further suspended, and the bill read a third time and passed.

On motion of Mr. Campbell,

The Senate resolved itself into committee of the whole,

Mr. Rawlins in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act to regulate the office of Secretary of State.

An act to license and tax merchants, and

An act to license and tax money brokers and exchange dealers.

Which they had agreed to without amendment, and instructed him to report them to the Senate for further action thereon, also bills entitled,

An act for the regulation and management of the State library, and

An act concerning mills, millers and the rates of toll.

Which they had amended, agreed to as amended and instructed him to report them to the Senate for its further action thereon, also a bill entitled,

An act to collect revenue on merchandise.

Which they had instructed him to report to the Senate with the recommendation that it be rejected.

Mr. Polk moved to lay the report on the table,

Which was negatived.

Mr. Polk moved to disagree to so much of the report as recommends the rejection of the bill entitled,

An act to collect revenue on merchandise,

Which was determined in the negative by the following vote:

Yeas—Messrs. Hudspeth, Polk and Snyder—3.

Nays—Messrs. Acock, Anderson, Blythe, Boggs, Calhoun, Fort, Hancock, Harper, Harris, Johnson, Lucas, Massey, Miller, Netherton, O'Bryan, Powers, Rawlins, Shelton, Snell, Thompson, Welborn and Wolfskill—22.

Absent, Messrs. Campbell, Detchemendy, Ellis, Jones and Reese.

With leave, Mr. Mills.

Sick, Mr. Gentry.

The question was then taken on agreeing to the report,

And was determined in the affirmative.

On motion of Mr. Acock, the bill entitled, an act for the regulation and management of the State library,

Was ordered to be engrossed and read a third time.

On motion of Mr. Acock,

The following bills were severally read a third time and passed.

An act to regulate the office of Secretary of State.

An act to license and tax merchants.

An act to license and tax money brokers and exchange dealers.

The bill entitled,

An act to define the jurisdiction and regulate proceedings of justices in cases of breach of peace.

Was considered as engrossed, and ordered to a third reading on to morrow.

The House bill entitled,

An act concerning mills, millers and the rates of toll,

Was read a third time and passed.

Mr. Boggs moved to take up the bill entitled,

An act to organize the county of Donaldson,

Which was sustained.

On motion of Mr. Snyder, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—28.

Absent—Messrs. Ellis and Jones.

With leave, Mr. Mills.

Sick—Mr. Gentry.

On motion of Mr. Miller, all further proceedings under the call were dispensed with.

The question was pending on the passage of the bill when

On motion, the Senate adjourned until to-morrow morning, at 9 o'clock.

THURSDAY MORNING, *February* 20, 1845.

The Senate met pursuant to adjournment.

Mr. Thompson presented the petition of sundry free white male citizens of Buchanan county, over the age of twenty-one years, praying for the passage of a special act to confirm the location of the seat of justice of said county at St. Josephs.

Which was referred to a select committee consisting of Messrs. Thompson, Johnson and Blythe.

Mr. Acock, from the committee of ways and means, to whom was referred the House bill entitled,

An act to license and tax pedlars,

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendments were read and agreed to, and the bill as amended read a third time and passed.

Mr. Acock, also from the same committee, to whom was referred a bill entitled,

An act to provide for the redemption of certain State Bonds,

Made the following report:

The committee find by the acts of 1840 and 1841, bonds of this State were issued amounting to the sum of \$230,000, bearing ten per cent. interest, payable in ten years, with the right to redeem them at the end of five years; said bonds have been since sold, mostly, if not all payable in the city of New York, in gold and silver. Your committee are of opinion that the new bonds proposed to be issued by said bill could not be sold at par for less than 8 per cent. which would be a saving of only \$506 per annum on the whole amount. Taking into consideration the expense of issuing new bonds—making sale of them, and the expense and exchange which would accrue in the redemption of the outstanding bonds, your committee are of opinion that the amount saved by the transaction would be so small that it would be inexpedient to redeem the outstanding bonds, by the sale of new ones, and therefore believe the bill should not pass.

The report was read and

On motion of Mr. Campbell,

Laid on the table.

Mr. Acock, also from the same committee, to whom was referred the bill entitled,

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor,

Reported it to the Senate with an amendment.

The report and amendment were read.

Mr. Fort moved to amend the report by striking out the words, 10 per cent. wherever they occur, in the amendment reported by the committee.

Which was determined in the negative by the following vote:

Yeas—Messrs. Blythe, Boggs, Fort, Hancock, Hudspeth, Johnson, Jones, Netherton, Polk, Rawlins, Reese, Snell and Snyder—13.

Nays—Messrs. Acock, Anderson, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Miller, O'Bryan, Powers, Shelton, Thompson, Welborn and Wolfskill—16.

Absent, Mr. Detchemendy.

With leave, Mr. Mills.

Sick, Mr. Massey.

Mr. Fort moved to lay the report on the table,
Which was negatived.

The report and amendment were agreed to, and the bill as amended was ordered to be engrossed, and read a third time to-morrow.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act to establish a State road.

An act to provide for erecting a tomb over Thomas Reynolds, late Governor of Missouri.

An act concerning a State road.

An act to authorise the executor of the estate of Samuel H. Williams deceased to sell the slaves belonging to said estate.

An act to defray the expenses of the 8th of January, 1845.

An act for the relief of Cyrus H. Frost, late sheriff of Crawford county.

An act to amend an act to provide for the payment of certain troops employed in the service of the State in the year 1836.

An act to authorise the payment of certain costs.

An act to establish and regulate the treasury department.

An act relative to fugitives from other States.

An act for the relief of Maria Carnes.

An act concerning apprentices.

An act to lay off the State into congressional districts, and

An act concerning strays.

Mr. Jones from the committee on engrossed bills reported as truly engrossed bills entitled,

An act amendatory and supplementary to an act incorporating the St. Louis gas light company, approved Feb. 4. 1837.

An act for the regulation and management of the State library, and

An act to regulate groceries and dram shops.

Mr. Welborn on leave introduced a bill entitled,

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson and Margaret L. his wife.

Which was read a first time and ordered to a second reading.

The President laid before the Senate the following communications from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 19, 1845.

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles to wit:

An act to amend an act to incorporate the Boonville Fire company, approved Feb. 11th, 1839.

An act regulating writs and process.

An act for the benefit of John B. Sturznegger.

An act to declare a certain road a State road.

An act concerning the decisions of the supreme court.

An act respecting a school township in St. Charles county.

An act concerning arbitrations and references.

An act to vacate Peak's and Hennings' addition to the town of St. Francisville, in the county of Clark.

An act concerning perpetuating testimony.

I am very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion of Mr. Welborn,

The vote by which the Senate refused to pass the bill entitled,

An act to define the boundaries of Putnam county, and organize the same,
Was reconsidered.

Mr. Reese moved to amend by way of ryder as follows:

In line 13, of section 2, strike out the words "nineteen and twenty," and in lieu thereof insert the words "twenty and twenty-one."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time:

When the bill as amended passed.

On motion of Mr. Boggs, the bill entitled,

An act to organize the county of Donaldson,

Was taken up, and on motion of Mr. Calhoun, laid on the table by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Campbell, Calhoun, Ellis, Gentry, Harper, Johnson, Lucas, Miller, Powers, Rawlins, Snyder, Welborn and Wolf-skill—16.

Nays—Messrs. Boggs, Detchemendy, Fort, Hancock, Harris, Hudspeth, Netherton, Polk, Reese, Snell and Thompson—11.

Absent, Messrs. Jones, O'Bryan and Shelton.

With leave, Mr. Mills.

Sick, Mr. Massey.

Mr. Acock submitted the following resolutions:

1. *Resolved, by the Senate*, That the grant of land made to this State, by Congress, should be applied to the first objects of internal improvement in this State, as was intended by said grant, and in pursuance of the 7th article of the constitution of this State.

2. That the people of the whole State are interested in a faithful and economical application of the proceeds of said lands, and at the earliest period, at which said proceeds can be realised, without endangering too much, the homes of the settlers on said lands.

3. That while a large number of good citizens who are settlers upon said lands are asking for relief, by giving them further time, to pay for their pre-emption claims, a much larger number of as equally good and meritorious citizens are deprived of their rights, by withholding from them the means of improving their rivers, roads, &c., thereby lessening the expense of transportation by land, which is a heavy tax or burthen on a large portion of the citizens of this State.

4. That this Senate is willing to give to the settlers upon the lands belonging to the State, pre-emption rights, and that two years be allowed them to pay

for the same, from the time when they would have been required by the general government to make payment therefor.

5. That to pass any act to authorise the sale of said lands on a credit, or conditional in any way whatever, would be inexpedient and bad legislation.

6. That the committee to whom was assigned that part of the Governor's message, in relation to said grant of lands, be instructed to report a bill, for the further sale of said lands, in conformity with the opinion expressed in the 4th and 5th resolutions.

Mr. Reese moved to lay them on the table,

Which was negatived, and

On motion of Mr. Johnson,

They were committed to a committee of the whole.

The bill entitled,

An act amendatory of an act entitled an act to provide for the selection and sale of the lands, granted to this State by act of Congress approved Sept. 4, 1841, approved Feb. 27th, 1843,

Was read a third time.

Mr. Wolfskill moved to amend by way of ryder, as follows:

Strike out the 6th section and insert in lieu thereof the following:

Sec. 6. All lands held by this State under and by virtue of said act of Congress, not held by pre-emption right, shall be offered for sale to the highest bidder for cash, by the registers and receivers at their respective land offices, on the first Monday in July, 1845, which sale shall continue from day to day, without delay, until all such lands shall be sold, or offered for sale, and no such lands shall be sold for less than one dollar and twenty-five cents per acre, and all such lands not sold shall be subject to private entry immediately after such sales, at one dollar and twenty-five cents per acre.

Which was read a first time.

Mr. Thompson moved its rejection.

Which was negatived, and

The ryder was read a second time, the rule suspended, considered as engrossed, and read a third time.

Mr. Rawlins moved to amend by way of ryder as follows:

Add the following as an additional section:

Sec. 14. The money arising from the sales of land by this act shall be loaned to the State at an interest of 6 per cent. per annum, for the purpose of paying the State debt, and the interest arising therefrom, shall be added to the internal improvement fund.

Which was read a first time, and

On motion of Mr. Thompson, rejected.

Mr. Acock moved the reference of the bill and amendment to the committee on the judiciary.

Which was negatived.

Mr. Fort moved to amend by way of ryder as follows:

To come in as as a proviso at the end of the 6th section.

Provided such sales and entries shall be in legal sub-divisions of half quarter sections.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

When the bill as amended passed by the following vote:

Yeas—Messrs. Anderson, Blythe, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Miller, Netherton, Polk, Powers, Rawlins, Reese, Snyder, Thompson, Welborn and Wolfskill—22.

Nays—Messrs. Acock, Campbell, Calhoun, Gentry, Lucas, O'Bryan, Shelton and Snell—8.

Absent with leave, Mr. Mills.

Sick, Mr. Massey.

Message from the House of Representatives by Mr. Gilpin, their clerk:
Mr. President:

The following bills have been introduced in the House of Representatives:

An act to remove the branch bank at Springfield to the city of Warsaw.

The following bills have passed the House of Representatives:

An act to alter the boundary line of Pettis and Benton counties.

An act to incorporate the town of St. Joseph.

An act supplementary to an act to incorporate the city of Hannibal.

An act to fix the time of holding the Chariton circuit court.

The following Senate bills have passed the House of Representatives:

An act to locate a fifth branch of the bank of the State of Missouri.

An act to incorporate the Missouri historical and philosophical society.

An act supplementary to an act to provide for the organization of certain counties.

The House has rejected the bill entitled:

An act to authorise James F. Clendennen to erect a toll bridge across Moreau creek.

The Speaker of the House of Representatives has signed the enrolled bills entitled,

An act to lay off the State into congressional districts.

An act concerning strays.

An act concerning apprentices.

An act for the relief of Maria Carnes.

An act to establish and regulate the Treasury department.

An act relative to fugitives from other States.

An act to authorise the payment of certain costs.

An act to amend an act to provide for the payment of certain troops employed in the service of the State, in 1836, approved Feb. 25th, 1843.

An act for the relief of Cyrus H. Frost, late sheriff of Crawford county.

An act to defray the expenses of celebrating the 8th of January, 1845.

An act to authorize the executor of the estate of Sam'l. H. Williams, dec'd., to sell the slaves belonging to said estate.

An act to vacate a part of Water street in Wayland's addition to the town of St. Francisville in Clark county.

An act concerning a State road.

An act to provide for erecting a tomb over the remains of his excellency Thomas Reynolds, late Governor of Missouri.

An act to establish a State road.

Whereupon the President of the Senate signed said enrolled bills.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled a bills entitled,

An act to establish a fifth branch of the bank of the State of Missouri.

Mr. Ellis, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor of public accounts.

An act supplemental and explanatory of an act entitled an act to provide for the organization of certain counties.

The bill entitled,

An act to regulate groceries and dram shops,

Was read a third time.

Mr. Blythe moved to amend by way of ryder as follows:

Strike out the 8th section of the bill.

Which was read, and

On motion of Mr. Boggs, rejected by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harper, Harris, Jones, Lucas, Miller, Netherton, O'Bryan, Reese, Snell, Thompson and Wolfskill—18.

Nays—Messrs. Blythe, Hudspeth, Johnson, Polk, Powers, Rawlins, Snyder and Welborn—8.

Absent, Messrs. Anderson, Detchemendy, Hancock and Shelton.

With leave, Mr. Mills.

Sick, Mr. Massey.

Mr. Snyder moved to amend by way of ryder as follows:

Strike out the 29th section of the bill,

Which was read a first time.

Mr. Fort moved its rejection.

Which was negatived, when

On motion of Mr. Snyder, the rule was suspended and the ryder read a second time.

Mr. Miller objected to its being read a third time, when

The question on ordering the ryder to a third reading was determined in the negative, and

The question recurring on the passage of the bill, was determined in the affirmative.

The bill entitled,

An act for the regulation and management of the State library,

Was read a third time.

Mr. Campbell moved to amend by way of ryder as follows:

Strike out the word "three" in the 15th section, 8th line, and insert "five."

Which was read a first time, the rule suspended, read a second time, considered as engrassed, and read a third time.

When the bill as amended passed.

The bill entitled,

An act to organize the county of Fulton,

Was taken up and placed in the order of the third reading of bills.

The following bills were severally read a third time and passed:

An act to define the jurisdiction and regulate the proceedings of justices courts in cases of breach of the peace.

An act amendatory and supplementary to an act incorporating the St. Louis Gas light company, approved Feb. 4, 1837.

An act supplementary and explanatory of an act entitled "an act to provide for the organiztion of certain counties."

The House bill entitled,

An act to organise the county of De Kalb,

Was read a third time.

On motion of Mr. Ellis,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 27.

Absent, Messrs. Fort, Hancock and Shelton.

With leave, Mr. Mills.

Sick—Mr. Massey.

On motion, all further proceedings under the call were dispensed with.

The question was then taken on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Ellis, Hudspeth, Lucas, Miller, Netherton, Polk, Powers, Reese, Snell, and Thompson—14.

Nays—Messrs. Acock, Blythe, Campbell, Gentry, Harper, Harris, Johnson, Jones, O'Bryan, Rawlins, Snyder, Welborn and Wolfskill—13.

Absent and sick, same as above

On motion of Mr. Acock, the house bill entitled,

An act to survey and mark out a state road from Bolivar in Polk county, to Fort Scott,

Was taken up and referred to a select committee, consisting of Messrs. Acock, Massey and Boggs.

The following House bill was read a first time and ordered to a second reading.

An act to alter the boundary line of Pettis and Benton counties.

The following House bills were severally read a first time, the rule suspended, and read a second and third time and passed.

An act to incorporate the town of St. Josephs.

An act to fix the time of holding the Chariton circuit courts.

An act supplementary to an act to incorporate the city of Hannibal.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. PRESIDENT:—

The Speaker of the House of Representatives has signed the enrolled bill entitled,

An act to establish a fifth branch of the bank of the State of Missouri.

Which was thereupon signed by the President of the Senate.

Mr. Fort, on leave, introduced a bill entitled,

An act supplementary to an act to establish a fifth branch of the bank of the State of Missouri.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

The resolution from the House entitled,

Joint resolution restricting the salaries of bank officers,

Was read a third time.

Mr. Fort moved to amend by way of rider as follows:

Strike out all after the words "to wit" in the fifth line of the first resolution and insert the following:

The cashier to receive a sum not exceeding twelve hundred dollars, per annum, and no other officer of said bank to receive a sum exceeding one thousand dollars per annum.

2. That the President and directors of the several branches of said bank be and they are hereby instructed to regulate the salaries of the officers of their respective branches as follows, to wit: The cashier to receive a sum not exceeding one thousand dollars per annum; and no other officer to receive exceeding seven hundred dollars per annum.

3. That the Secretary of State is hereby required to forward a copy of the foregoing resolutions, to the President of the parent bank and each of the branches, to be laid before their respective boards at the first meeting after the reception of the same.

Which was read a first time, and

Mr. Welborn moved its rejection,

Which was negatived, and the rule was suspended and the ryder read a second time.

Mr. Welborn objected to its being ordered to a third reading, when

The question on ordering it to a third reading, was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Calhoun, Detchemendy, Ellis, Fort, Harper, Miller, Reese, Snyder, Thompson and Wolfskill—13.

Nays—Messrs. Blythe, Campbell, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Netherton, O'Bryan, Powers, Snell and Welborn—14.

Absent, Messrs. Lucas, Rawlins and Shelton.

With leave, Mr. Mills.

Sick, Mr. Massey.

Mr. Boggs moved to refer the resolution to the select committee on the bank,

Which was negatived.

The question then recurred on the passage of the resolution, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Netherton, O'Bryan, Polk, Powers, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill—24.

Nays—Messrs. Detchemendy, Fort, Lucas and Miller—4.

Absent, Messrs. Rawlins and Shelton.

With leave, Mr. Mills.

Sick, Mr. Massey.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *February 21, 1845.*

The Senate met pursuant to adjournment.

Mr. Ellis, from the committee on revision, reported without amendment, revised bills entitled,

An act concerning corporations.

An act to establish a criminal court in the county of St. Louis.

An act to establish a probate court in St. Louis Louis county, and for other purposes.

An act regulating judgments and decrees.

An act regulating the action of ejectment, and

An act concerning crimes and their punishments.

The report was read and agreed to, and the accompanying bills were read a first time, the rule suspended, read a second time, and

On motion, committed to a committee of the whole.

Mr. Massey moved that the bill entitled,

An act concerning corporations,

Be ordered to be printed, which was negatived.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act relative to fugitives from justice.

An act to establish a State road.

An act concerning strays.

An act concerning apprentices.

An act to establish and regulate the treasury department.

An act to lay off the State into congressional districts, and

An act for the relief of Maria Carnes.

An act to authorise the payment of certain costs.

An act to amend an act entitled an act to provide for the payment of certain troops employed in the service of the State in the year 1836, approved Feb. 25, 1843.

An act for the relief of Cyrus H. Frost, late sheriff of Crawford county.

An act to defray the expenses of celebrating the 8th of January, 1845.

An act to authorise the executor of the estate of Samuel H. Williams deceased to sell the slaves belonging to said estate.

An act to vacate a part of waterstreet in Wayland's addition to the town of St. Francisville, in Clark county.

An act concerning a State road.

An act to provide for erecting a tomb over the remains of Thomas Reynolds, late Governor of Missouri.

An act to locate a fifth branch of the bank of the State of Missouri.

Mr. Acock from the committee of ways and means to whom was referred the petition of the citizens of St. Francis county, on the subject of groceries and dram shops, asked to be discharged from the further consideration of the subject for the reason that the law upon that subject has been acted upon by the Senate.

The report was read and agreed to.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have been introduced in the House of Representatives:

An act to establish a state road from St. Josephs to Plattsburg.

An act to attach a portion of Polk county to St. Clair county.

An act to amend an act to establish a corporation in the city of St. Louis, for the purpose of education, approved Feb. 13th, 1833.

An act for the relief of Robert E. Baker, sheriff of Callaway county.

The following bills have passed the House of Representatives.

An act for the benefit of Edward Beatty.

An act to define the boundary between Washington and Crawford county.

An act concerning notries public and bank officers.

An act in relation to the organization of Mercer county.

The House of Representatives has rejected the bill entitled,

An act for the benefit of married women and their children.

The Speaker has signed the enrolled bills, entitled,

An act supplemental to "an act to authorise the county court of Wayne

county to borrow money, approved January 14, 1845.

An act for the relief of Brice W. Hammock of Lincoln county.

An act to establish a state road from Pattonsburg in Daviess county to St. Joseph's in Buchanan county.

An act to view and mark out a State road in Jackson county.

An act concerning roads and highways in the county of Wayne.

An act for the benefit of John Fawcett and others.

An act to establish a State road between Weston and St. Josephs.

An act for the benefit of the minor heirs of Sanford H. King, deceased.

An act to authorize Cecil D. Ball to erect a dam across Little Osage river.

An act to view and mark out a state road in Dallas county.

An act to authorize the election of a justice of the peace within the limits of Cape Girardeau city.

An act to further organize the county of Manitou.

An act to establish a State road from Georgetown to Lexington.

An act declaring a certain county road in Holt county a State road.

Memorial to Congress requesting the sale of fractions of land adjoining French and Spanish concessions.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Jones from the select joint committee appointed to examine into the condition of the State Tobacco Warehouse made a report which was read, and,

On motion of Mr. Fort,

Laid on the table.

Mr. Boggs from the select committee to whom was referred the House bill entitled,

An act to establish a State road from Independence to Wayne city in Jackson county,

Reported it to the Senate with amendments, and recommended its passage.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

On motion of Mr. Boggs,

The bill entitled,

An act to organize the county of Donaldson,

Was taken up and read a third time.

On motion of Mr. Boggs,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 28.

Absent, Messrs. Lucas and Thompson.

With leave, Mr. Mills.

Sick, Mr. Johnson.

On motion all further proceedings under the call were dispensed with.

Mr. Calhoun presented the remonstrance of certain citizens of Johnson county against the organization of the new county proposed by the bill entitled,

An act to organize the county of Donaldson.

Which was read, and

The question then recurred on the passage of the bill and was determined in the affirmative.

The bill from the House of Representatives entitled,

An act to alter the boundary line between Pettis and Benton counties,

Was read a second time, the rule suspended, read a third time and passed.

The bill entitled,

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson and Margaret L. his wife.

Was read a second time and ordered to be engrossed and read a third time to-morrow.

The bill entitled,
 An act to authorise the securities of Levi D. Blankenship to settle with the Auditor of public accounts,
 Was read a third time.
 Mr. Fort moved to amend by way of ryder as follows:
 Strike out from the word "year" to the word "with" in the fifth line.
 Which was read, and
 On motion of Mr. Acock, rejected by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Jones, Massey, Miller, O'Bryan, Powers, Shelton, Snell and Thompson—19.

Nays—Messrs. Blythe, Detchemendy, Fort, Hancock, Hudspeth, Netherton, Polk, Rawlins, Reese and Snyder—10.

Absent, Mr. Lucas.

Absent with leave, Mr. Mills.

Sick, Mr. Johnson.

Mr. Fort moved to amend by way of ryder as follows:
 Strike out "ten per cent." and insert "six per cent."
 Which was read.

Mr. Acock moved its rejection,
 Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Calhoun, Ellis, Harper, Lucas, Massey, Miller, O'Bryan, Powers, Shelton, Thompson and Wolfskill—13.

Nays—Messrs. Anderson, Blythe, Boggs, Detchemendy, Fort, Gentry, Hancock, Harris, Hudspeth, Jones, Netherton, Polk, Rawlins, Reese, Snell, Snyder and Welborn—17.

Absent with leave, Mr. Mills.

Sick, Mr. Johnson.

On motion the rule was suspended, the ryder read a second time, considered as engrossed, and read a third time, when

The bill as amended passed.

The bill entitled,

An act to organize Fulton county,

Was read a third time.

The ryder offered by Mr. Rawlins on Tuesday last being under consideration, Mr. Fort objected to its being ordered to a second reading.

When the question on the rejection of the ryder was determined in the negative by the following vote:

Yeas—Messrs. Fort, Lucas, Reese and Shelton—4.

Nays—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Hudspeth, Jones, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Rawlins, Snell, Snyder, Thompson, Welborn and Wolfskill—25.

Absent—Mr. Harris.

With leave—Mr. Mills.

Sick—Mr. Johnson.

The ryder was then read a second time, the rule suspended, considered as engrossed, and read a third time, when,

On motion of Mr. Fort, the bill and ryder were laid on the table.

The House bill entitled,

An act for the relief of Edward Beatty,

Was read a first time, the rule suspended, read a second time, and ordered to a third reading.

The following was read a first time, the rule suspended, read a second time, and passed over for the present.

An act concerning notaries public and bank officers.

The House bill entitled,

An act in relation to the organization of Mercer county,

Was read a first time, the rule suspended, and read a second and third times and passed.

The following was read a first time, the rule suspended, read a second time, and ordered to a third reading to morrow.

An act to define the boundary line between Washington and Crawford counties.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Fort,

Resolved, by the Senate, the House of Representatives concurring therein:

That the inspectors of the penitentiary be required to settle with the lessees of the penitentiary up to the 15th of the present month, and that such settlement be made in conformity with the laws relating to the penitentiary, and that they report their proceedings and settlement to the General Assembly, now in session, with as little delay as possible.

Mr. Acock, from the select committee to whom was referred the House bill entitled,

An act to survey and mark out a State road from Bolivar, in Polk county, to Fort Scott,

Reported it to the Senate with several amendments.

The report and amendments were read and agreed to and

On motion of Mr. Boggs,

The amendments were ordered to be engrossed, and the bill as amended to be read a third time to morrow.

Mr. Miller, from the committee on the permanent seat of government, to whom was referred the bill entitled,

An act to close the sales of lots in the city of Jefferson,

Reported it to the Senate with an amendment.

The report and amendment were read and agreed to; and

The bill as amended was ordered to be engrossed and read a third time.

Mr. Fort presented the petition of Peter McLane, praying for compensation for his superintendence of certain work in the City of Jefferson, which was read and referred to the committee on claims.

Mr. Jones from the committee on engrossed bills, reported as truly engrossed a bill entitled:

An act concerning bills of exchange and negotiable promissory notes.

Mr. Miller presented four petitions of sundry citizens of Cole county praying for the establishment of a State road from Jefferson City, by way of Califor

nia and Pisgah, to Boonville, which was referred to a select committee consisting of Messrs. Miller, O'Bryan and Netherton.

The bill entitled,

An act concerning bills of exchange and negotiable promissory notes,
Was read a third time and passed.

On motion of Mr. Acock,

The Senate resolved itself into committee of the whole,

Mr. Shelton in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration

A memorial from the House entitled,

Memorial to Congress on the subject of a national road.

And had instructed him to report the same to the Senate without amendment, also,

The Senate resolution relative to the disposal of the 500,000 acres of land,
Had agreed to the 1st, 2nd, 3rd, and 4th resolutions, and disagreed to the 5th and 6th resolution, and the committee had risen and instructed him to report progress.

On motion of Mr. Polk,

The report was laid on the table, when

On motion, the Senate adjourned until to-morrow morning, at 9 o'clock.

SATURDAY MORNING, *February 22, 1845.*

The Senate met pursuant to adjournment.

Mr. Campbell from the committee on engrossed bills reported as truly engrossed a bill entitled;

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson, and Margaret L. his wife, also,

An amendment to the House bill entitled,

An act to survey and mark out a State road from Bolivar in Polk county, to Fort Scott.

The bill entitled,

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson and Margaret L. his wife,

Was read a third time and passed.

The following House bills were severally read a third time and passed.

An act to survey and mark out a State road from Bolivar in Polk county to Fort Scott.

An act for the benefit of Edward Beatty.

The House bill entitled,

An act to define the boundary line between Washington and Crawford counties,

Was read a third time.

Mr. Hudspeth moved to amend by way of ryder as follows:

Strike out all after the word "same," in the sixth line, to the word "shall" in the 8th line.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The bill as amended passed.

On motion of Mr. Fort, the bill entitled,

An act to organize Fulton county,

Was taken up and read a third time,

When the question on its passage was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Calhoun, Fort, Hancock, Harper, Miller, Polk, Powers and Reese—9.

Nays—Messrs. Acock, Blythe, Boggs, Campbell, Detchemendy, Ellis, Gentry, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Netherton, O'Bryan, Rawlins, Shelton, Snell, Snyder, Welborn and Wolfskill—21.

Absent, Mr. Thompson.

With leave, Mr. Mills.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act to establish a court of common pleas in the county of St. Louis.

An act respecting a State road in Randolph county.

An act to legalize the sales of certain township school lands.

An act concerning the paymaster of the 1st Regiment of Militia in St. Louis county.

An act concerning landlords and tenants in the county of St. Louis,

An act to provide for the comfort and health of the members and officers of the General Assembly.

An act to restrain intercourse with Indians.

An act to incorporate the Orphans' Home.

An act respecting constables.

An act allowing suits against officers for services rendered under illegal orders.

An act supplementary to an act to provide for the organization of certain counties, approved Feb. 15th, 1845,

An act granting certain powers to the county court of Ste. Genevieve county.

An act to incorporate the Missouri Historical and Philosophical Society.

An act to incorporate the St. Vincents Free School of St. Louis.

An act to authorise Isaac Waymire to erect a mill dam.

An act for the benefit of the heirs of John D. Foster, deceased.

An act concerning the revenue.

An act for the benefit of Adolph Caltner.

An act to provide for the surrender and cancellation of certain bonds of the State of Missouri.

Message from the House of Representatives, by Mr. Lowe, engrossing clerk.

MR. PRESIDENT:

The following bills have been reported to the House of Representatives by the revising committee:

An act to regulate proceeding on writs of habeas corpus.

An act concerning free negroes and mulattoes.

An act repealing an act regulating writs of Ne Exeat.

An act to regulate executions.

An act for securing liens to mechanics and others.

An act concerning executors and administrators.

An act to provide for the recovery of debts by attachment.

The following bills have been introduced in the House of Representatives:

An act providing for the sale of the stock of the Bank of the State of Missouri and for securing the seminary and school funds from further depreciation and for other purposes,

The following revised bills have passed the House of Representatives:

An act concerning evidence.

An act concerning guardians, curators and minors.

An act for the incorporation of towns, and to prevent the circulation of town and city scrip.

An act to provide for the institution and support of a State university.

An act respecting impeachments.

An act concerning writs of quo warranto.

The House bill entitled,

An act concerning guardians, curators and minors,

Was read a first time, the rule suspended and read a second and third time.

Mr. Welborn moved to amend by way of ryder as follows:

Strike out the 16th section of the bill,

Which was read a first time, and

On motion of Mr. Fort,

Rejected by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Miller, Netherton, O'Bryan, Rawlins, Reese, Snell and Wolfskill—23.

Nays—Messrs. Hancock, Polk, Powers, Shelton, Snyder and Welborn—6.

Absent—Messrs. Massey and Thompson.

With leave—Mr. Mills.

The question then recurred on the passage of the bill, and was determined in the affirmative.

The following House bills were severally read a first time, the rule suspended and read a second and third time and passed.

An act for the incorporation of towns, and to prevent the circulation of town and city scrip.

An act concerning writs of quo warranto.

An act respecting vagrants.

An act concerning evidence.

An act respecting impeachments.

The House bill entitled,

An act to provide for the institution and support of a State University,

Was read a first time, the rule suspended and read a second time.

Mr. Fort moved to amend as follows:

In the 3rd section of the 2nd article of the bill, strike out "nineteen" and insert "eighteen" also strike out "President of the university."

Which was read, and

On motion of Mr. Lucas, rejected.

Mr. Fort moved to commit the bill to committee of the whole,

Which was negatived.

Mr. Fort moved to amend to amend the bill as follows:

In article 2nd strike out the 28th section.

Which was read a first time.

Mr. Campbell moved its rejection, which was negatived.

The amendment was then read a second time and agreed to, when

The rule was suspended, and the bill as amended was read a third time and passed by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Johnson, Jones, Lucas, Massey, Miller,

Netherton, O'Bryan, Powers, Rawlins, Reese, Snell, Snyder, Welborn and Wolfskill—25.

Nays—Messrs. Fort, Hancock, Hudspeth, Polk, Shelton and Thompson—6.

Absent with leave, Mr. Mills.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 21. 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act to lay off the State into Congressional Districts.

An act to authorise the payment of certain costs.

An act to establish a fifth branch of the bank of the State of Missouri.

An act to establish a State road.

An act for the relief of Maria Carnes.

An act to amend an act entitled an act to provide for the payment of certain troops employed in the service of the State in the year 1836, approved Feb. 25th, 1843.

An act for the relief of Cyrus H. Frost, late sheriff of Crawford county.

An act to defray the expenses of celebrating the 8th of January, 1845.

An act to authorise the executor of the estate of Samuel H. Williams, deceased, to sell the slaves belonging to said estate.

An act to vacate a part of water street in Wayland's addition to the town of St. Francisville in the county of Clark.

An act concerning a State road.

An act to provide for erecting a tomb over the remains of his Excellency, Thomas Reynolds, late Governor of Missouri.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Mr. Fort gave notice that he would, on Monday next or some subsequent day, introduce a bill to tax and regulate Foreign insurance agencies, which may hereafter transact business as such within the limits of this State.

Mr. Wolfskill, on leave, introduced a bill entitled,

An act to protect women and their children.

Which was read a first time.

Mr. Thompson moved its indefinite postponement, which motion was pending, when

On motion the Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, February 24, 1845.

The Senate met pursuant to adjournment.

Mr. Fort presented the memorial of J. B. Brant, on the subject of the inspection of tobacco in the city of St. Louis, which was read and laid on the table.

Mr. Miller presented the petition of William M. Kerr, of Cole county, praying the passage of an act allowing him costs in certain cases, in which the State is interested, which was referred to the committee on claims.

Message from the House of Representatives by Mr. Gilpin, their clerk.

Mr. President:

The following Senate bill has passed the House of Representatives:

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson and Margaret L. his wife.

The following bills have passed the House of Representatives.

An act to regulate proceedings on writs of habeas corpus.

An act concerning executors and administrators.

The Speaker has signed the following bills:

An act to provide for the surrender and cancellation of certain State bonds of the State, and for the issue of other equivalent bonds therefor.

An act for the benefit of Adolph Coltner.

An act concerning the revenue.

An act for the benefit of the heirs of John D. Foster.

An act to authorise Isaac Waymire to erect a mill dam.

An act to incorporate the St. Vincent's free school of St. Louis.

An act to incorporate the Missouri philosophical and historical society.

An act granting certain powers to the Ste. Genevieve county court.

An act supplementary to an act to provide for the organization of certain counties.

An act allowing suits against officers for services rendered under illegal orders.

An act concerning landlords and tenants in the county of St. Louis.

An act to provide for the comfort and health of the members and officers of the General Assembly.

An act to restrain intercourse with the Indians.

An act to incorporate the orphan's home.

An act respecting constables.

An act to establish a court of common pleas in the county of St. Louis.

An act to legalize the sale of certain township school lands.

An act respecting a State road in Randolph county.

An act to fix the time of holding the Chariton circuit court.

An act to establish a State road in Livingston county.

An act to incorporate the Weston Athæneum.

An act to authorize R. A. Ewing and Robert R. Jefferson, to erect a toll bridge across Moreau creek.

An act to authorise Geo. Hobson and Stephen Hobson to erect a dam across the river 102, and Isaac A. Larning, a dam across Platte river.

An act to establish the academy in the town of Perryville.

An act to provide for the payment of certain troops employed in the service of the State.

An act to revive an act to establish a State road in the counties of Franklin, Gasconade and Osage.

An act to authorise Johnson and Swain to erect a dam across Platte river.

An act to change a portion of the line dividing the counties of Camden and Miller,

An act to authorize the county courts of Clay, Ray, Jackson and Lafayette counties to execute certain trusts.

An act supplementary to an act to incorporate the city of Hannibal.

An act to organize the county of De Kalb.

An act to change the name of Mary Jane Howard and Ferdinand her son.

An act amendatory of an act to establish a State road from Farmington in St. Francois county to St. Louis, approved Feb. 17, 1843.

An act to authorize Woods, Estell and Hughes to erect a dam across Platte river.

An act to establish a State road from Savannah to Nodaway city.

An act allowing fees to clerks in certain cases.

An act to incorporate the city of Glasgow.

An act to amend an act to incorporate the St. Louis Fire company, approved Feb. 12, 1841.

An act to establish a State road from Bolivar in Polk county to Waynesville in Pulaski county.

An act to organize the county of Reynolds.

Joint resolution for the benefit of the New York Historical Society.

A memorial to Congress asking the improvement of the Neosho or Grand river of the Arkansas and removal of restrictions on products conveyed through the Indian countries.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

Mr. Jones, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act to close the sale of lots in the City of Jefferson.

Mr. Acock from the committee of ways and means to whom was referred the memorial of the county court of Washington county, praying the refunding of certain monies, reported against the prayer of the petitioners and asked to be discharged from the further consideration of the subject.

The report was read, and

On motion of Mr. Hudspeth,

Laid on the table.

Mr. Fort from the committee on the penitentiary to whom was referred the House bill entitled,

An act amendatory of an act to authorize improvements in the Penitentiary, approved Feb. 23rd, 1843, and of an act concerning the government and discipline of the Penitentiary, approved Feb. 23rd, 1843.

Reported it to the Senate with amendments.

The report and amendments were read and agreed to, and the bill as amended was read a third time.

Mr. Fort moved to amend by ryder to come in at the end of the 5th section.

And it is further provided that in letting the improvements, contemplated in this act, the inspectors shall so let out the work, to be performed that no part thereof shall be left incomplete or unfinished: and in no event shall they contract to pay a greater sum of money for the entire completion of all the improvements contemplated in this act than the sum herein appropriated.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

When the bill as amended passed.

Mr. Snyder from the joint committee on public printing to whom was referred the subject of contracting for the printing of the laws and journals of the present session of the General Assembly, made a report,

Which was read and agreed to.

Mr. Miller, from the committee on the Judiciary, to whom was referred the bill entitled,

An act concerning Clarissa Williams, a free woman of color,

Reported it to the Senate without amendment, and recommended its passage.

The report was read and agreed to, and the bill was read a third time and passed, by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Netherton, O'Bryen, Powers, Reese, Snell, Snyder, Welborn and Wolfskill—22.

Nays—Messrs. Anderson, Fort, Harper, Polk, Rawlins and Shelton—6.

Absent—Messrs. Blythe and Detchemendy.

With leave—Mr. Mills.

Mr. Doggs, from the select committee, to whom was referred the House bill entitled,

An act to authorise George W. Hinkle and William C. Hinkle, to build a mill dam on Big Blue river, in Jackson county,

Reported it to the Senate with amendments, and recommended its passage.

The report and amendments were read and agreed to, and

The amendments were ordered to be engrossed, and the bill as amended to be read a third time.

Mr. Wolfskill, from the select committee, to whom was referred the bill entitled,

An act to remove a mill dam from the west fork of North Grand river,

Reported it to the Senate with an amendment and recommended its passage.

The report and amendments were read and

On motion, disagreed to, when the bill was read a third time.

Mr. Wolfskill moved to fill the blank in the bill with "two thousand," which was negatived.

Mr. Ellis moved to fill the blank in the bill with fifteen hundred,

Which was also negatived.

The question was then taken on the passage of the bill without filling the blank which was decided in the negative by the following vote:

Yeas—Messrs. Anderson, Boggs, Calhoun, Ellis, Harris, Lucas, Massey, Miller, Netherton, Powers, Snell and Wolfskill—12.

Nays—Messrs. Acock, Detchemendy, Gentry, Hancock, Harper, Hudspeth, Johnson, Jones, O'Bryan, Polk, Rawlins, Reese, Shelton, Snyder, Thompson and Welborn—16.

Absent, Messrs. Blythe, Campbell and Fort.

With leave, Mr. Mills.

On motion of Mr. Johnson, leave of absence was given to Mr. Blythe, until the 8th of March next.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled a bill entitled,

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson and Margaret L. his wife.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The Speaker has signed the enrolled bill entitled,

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson, and Margaret L. his wife.

Whereupon the President of the Senate signed said enrolled bill.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 22, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles to wit:

An act concerning apprentices.

An act relative to fugitives from other States.

An act concerning strays.

I am very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

The following bills were on leave severally introduced, read a first time, the rules suspended, read a second time, considered as engrossed, the rule further suspended and read a third time and passed.

By Mr. Jones,

An act to appropriate money.

By Mr. Anderson,

An act supplementary to an act entitled, an act to provide for an additional justice of the peace for St. Louis county.

By Mr. Hancock,

An act to authorise Samuel M'Corkle to build a dam across James' fork of White river.

By Mr. Wolfskill,

An act declaring a county road in Linn county a State road.

Mr. Anderson, on leave, introduced a bill entitled,

An act to provide for the election of justices of the peace in the township of St. Louis, in the county of St. Louis.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time to-morrow.

Mr. Fort on leave introduced a bill entitled,

An act to tax and regulate foreign insurance agencies in this State.

Which was read a first time and ordered to a second reading.

On motion of Mr. Reese,

Resolved by the Senate the House of Representatives concurring therein:

That the committee on the judiciary of the two Houses respectively, be required to act together on the bill to provide for the purchase of a certain claim (commonly called the Delisle claim,) on the lands selected for the seat of government of this State, referred to the committee on the judiciary of the Senate, and report to their respective houses.

On motion of Mr. Rawlins,

Mr. Snell was added to the committee on enrolled bills.

Mr. Polk offered the following:

Resolved by the Senate, the House of Representatives concurring therein:

That Mondays, Tuesdays, Wednesdays and Thursdays, be devoted exclusively to the revising business, and Fridays and Saturdays be devoted to new and local business.

Which under the rule lies one day on the table.

Mr. Miller, on leave, introduced the following joint resolution:

Resolved by the General Assembly of the State of Missouri, two-thirds of each House concurring therein:

That the following amendments be proposed to the constitution of the State, to wit:

That so much of the 2nd section of the 3rd article of the constitution of this State, as provides that each county shall have at least one representative, is hereby abolished,

Which was read a first time, and

On motion of Mr. Detchemendy,

Indefinitely postponed by the following vote:

Yeas—Messrs. Boggs, Detchemendy, Fort, Gentry, Hancock, Harris, Jones, Lucas, Massey, Miller, Netherton, Powers, Rawlins, Reese, Snell and Welborn—16.

Nays—Messrs. Acock, Anderson, Campbell, Calhoun, Harper, Hudspeth, Johnson, O'Bryan, Polk, Shelton, Snyder, Thompson and Wolfskill—13.

Absent—Mr. Ellis.

With leave, Messrs. Blythe and Mills.

Mr. Miller, on leave, introduced the following joint resolution.

Resolved by the General Assembly of the State of Missouri, two-thirds of each House concurring therein:

That the following amendments be proposed to the constitution of the State of Missouri, to wit:

That so much of the 2nd section of the 3rd article of the constitution of this State, as provides that the whole number of representatives shall not exceed one hundred, is hereby abolished.

Which was read a first time and ordered to a second reading.

Mr. Polk submitted the following:

Resolved, That the two Houses of the present General Assembly will adjourn *sine die*, on the 15th day of March next.

Which was read, and

On motion of Mr. Fort,

Laid on the table by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Harper, Harris, Hudspeth, Johnson, Lucas, Miller, Netherton, O'Bryan, Snyder and Thompson—17.

Nays—Messrs. Acock, Gentry, Hancock, Jones, Massey, Polk, Powers, Rawlins, Shelton, Snell, Welborn and Wolfskill—12.

Absent, Mr. Reese.

With leave, Messrs. Blythe and Mills.

Mr. Fort submitted the following:

Whereas the present General Assembly has repealed all laws requiring non-resident land holders to pay their taxes, within this State on the same, thereby creating an invidious distinction, between the less wealthy resident land holders and the more fortunate and wealthy non-resident, and as the present session of the General Assembly, is fast drawing to a close. Therefore, be it

1. *Resolved*, It is unequal, unjust, and impolitic to pass laws requiring the resident citizen who may reside on his land to pay a tax for the same, or to require the collector to sell his property in case he fails to pay the same, and at the same time to provide no law to compel those who reside out of the limits of

the State, and own lands within the same, or those who are so wealthy as to reside within the State and hold land in different counties of the same, to pay their taxes; but leave it discretionary with them whether they shall pay the same or not.

2. *Resolved*, That the committee of ways and means be instructed to introduce a bill, the provisions of which shall place the resident citizen, on an equal footing with the non-resident in the payment of taxes. Every principle of justice and sound policy forbids the act that requires or permits of the less wealthy resident citizens property for tax, while we let the wealthy non-resident land holder go free.

3. *Resolved*, That the present laws on the subject of collecting revenue on lands in this State should challenge the serious consideration of every citizen; (if the past has not done so,) future legislatures should express the will of the people on that subject; if the people of this State are willing to expose their own property to sale for the payment of taxes, and at the same time exempt the property of the non-resident from the payment of his, let them say so at the polls, and all will acquiesce.

Which was read and adopted.

Mr. Fort, on leave, introduced a resolution entitled,
Joint resolution of instruction to the President and Directors of the Bank.

Which was read a first time.

Mr. Hancock moved its rejection,

Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Hancock, Massey, Miller, Netherton, Reese, Shelton and Snyder—13.

Nays—Messrs. Anderson, Fort, Gentry, Harper, Hudspeth, Johnson, Jones, Lucas, O'Bryan, Polk, Powers, Rawlins, Snell, Thompson and Wolfskill—15.

Absent, Messrs. Harris, and Welborn.

With leave, Messrs. Blythe and Mills.

The resolution was then ordered to a second reading.

Mr. Rawlins from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to provide for the surrender and cancellation of certain State bonds of the State, and for the issue of other equivalent bonds therefor.

An act for the benefit of Adolph Caltner.

An act concerning the revenue.

An act for the benefit of the heirs of John D. Foster.

An act to authorise Isaac Waymire to erect a mill dam.

An act to incorporate the St. Vincent's free school of St. Louis.

An act to incorporate the Missouri philosophical and historical society.

An act granting certain powers to the Ste. Genevieve county court.

An act supplementary to an act to provide for the organization of certain counties, approved Feb. 15th, 1845.

An act allowing suits against officers for services rendered under illegal orders.

An act concerning landlords and tenants in the county of St. Louis.

An act to provide for the comfort and health of the members and officers of the General Assembly.

An act to restrain intercourse with the Indians.

An act to incorporate the orphan's home.

An act respecting constables.

An act to establish a court of common pleas in the county of St. Louis.

An act concerning the paymaster of the 1st Regiment of Militia in St. Louis county.

An act to legalize the sale of certain township school lands.

An act respecting a State road in Randolph county.

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson, and Margaret L. his wife,

On motion of Mr. Ellis,

The vote on the passage of the House bill entitled,

An act amendatory of an act to authorize improvements in the Penitentiary, approved, February 28, 1843, and of an act concerning the government and discipline of the Penitentiary, approved February 20th, 1843,

Was reconsidered.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Boggs,

A call of the House was ordered.

When the number of Senators answering to their names was—17.

Absent, Messrs. Anderson, Detchemendy, Ellis, Fort, Gentry, Hancock, Harris, Hudspeth, Lucas, Netherton, Reese, Shelton and Welborn.

Absent with leave, Messrs. Blythe and Mills.

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Wolfskill, the bill entitled,

An act to protect women and their children.

Was laid on the table

The bill entitled,

An act to close the sales of lots in the city of Jefferson,

Was read a third time.

Mr. Massey, moved to amend by way of ryder as follows:

Strike out the third section of the bill.

Which was read, and objections being made by Mr. Miller,

The question on its rejection was determined in the negative, and the rule was suspended, the ryder read a second time, considered as engrossed, and read a third time, when the bill as amended passed.

The House bill entitled,

An act respecting executors and administrators,

Was read a first time, the rule suspended, read a second time, and referred to a select committee consisting of Messrs. Anderson, Miller, Reese, Jones and Massey.

The House bill entitled,

An act to regulate proceedings on writs of habeas corpus,

Was read a first time, the rule suspended, and read a second and third time and passed.

On motion of Mr. Ellis,

The House bill entitled,

An act amendatory of an act to authorize improvements in the Penitentiary, approved Feb. 28th, 1843, and of an act concerning the government and discipline of the Penitentiary, approved Feb. 20th, 1843.

Was taken up and read, and

On the further motion of Mr. Ellis, the vote on the adoption of the report of the committee on the penitentiary submitted by Mr. Fort this morning proposing amendments to the bill, was reconsidered.

Mr. Ellis then offered the following substitute for the amendments proposed in the report of the committee.

Amend the 4th section as follows: Strike out in the 4th line the word "becomes" and insert in lieu thereof "has or shall become."

In the same section strike out the 8th and last line and insert "the rents as they have, or shall become due from the lessees of the penitentiary."

In the same section, strike out from the word "and" in the fourth line inclusive, to the word "due" inclusive in the 6th line.

Strike out the 6th and 7th sections of the bill.

Add the following at the end of the 8th section "to be paid out of the money which has or shall become due on the bond of the lessees of the penitentiary."

The substitute was read and adopted, and

The report as amended was agreed to.

Mr. Ellis then moved a reconsideration of the vote by which the ryder offered by Mr. Fort, was ordered to a third reading, when

On motion of Mr. Acock, the bill and amendments were recommitted to the committee on the penitentiary.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, *February 25, 1845.*

The Senate met pursuant to adjournment.

The President laid before the Senate the following communications from the Governor:

CITY OF JEFFERSON, February 24, 1845.

To the Hon. the Senate:

Gentlemen, I have this day approved and signed a bill of the following title:

An act to dissolve the bonds of matrimony existing between Isaac N. Bryson of Pike county, Mo., and Margaret L. his wife.

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 25, 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act to incorporate the St. Vincents Free School of St. Louis.

An act to authorise Isaac Waymire to erect a mill dam.

An act supplementary to an act to provide for the organization of certain counties, approved Feb. 15th, 1845.

An act to establish and regulate the Treasury department.

An act concerning the revenue.

An act for the benefit of Adolph Caltner.

An act to legalize the sale of certain township school lands.

An act allowing suits against officers for services rendered under illegal orders.

An act to provide for the comfort and health of the members and officers of the General Assembly.

An act respecting a State road in Randolph county.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. PRESIDENT:—

The following bills have been introduced in the House of Representatives:

An act to extend a State road in Pike county.

An act to create an additional election precinct in Platte.

An act for the relief of Joseph H. Reynolds and Harmann T. Wilson.

The House has passed the following bills:

An act to authorise the county court of Bates county to borrow the road and canal fund belonging to said county.

An act to attach certain territory to Gentry county.

An act to authorize Elias H. Davis to purchase land, as guardian for certain minors.

An act to declare a certain county road in Linn and Sullivan counties, a State road.

An act to provide for the erection of a seminary of learning in the town of Osceola.

The following Senate bills have passed the House of Representatives.

An act legalizing certain acts of the county court of Cape Girardeau county.

An act authorizing W. B. Martin to keep a ferry without license.

An act supplementary to an act to establish a fifth branch of the bank of the State of Missouri.

An act to locate the county seat of Ripley county.

An act for the relief of Robert Wood collector of Pulaski county.

An act for the relief of Willoughby Lane.

An act concerning the road and canal fund of Camden county.

An act to define the boundaries of Putnam county and to organize the same.

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor of public accounts.

An act supplemental and explanatory of an act entitled an act to provide for the organization of certain counties.

An act to annul the survey of the town of Oregon, in Lawrence county.

An act to incorporate the Mound Fire Company of St. Louis.

An act amendatory and supplementary of an act incorporating the St. Louis Gas light company, approved Feb. 4, 1837.

An act to incorporate the town of Palmyra in Marion county.

A memorial to Congress in relation to graduating the price of public lands.

The House of Representatives has concurred in the amendments of the Senate to the House bills entitled,

An act to survey and mark out a State road from Bolivar in Polk county to Fort Scott.

An act concerning slaves.

An act to license and tax pedlars.

An act declaring Chariton river a public highway.

An act to extend a State road from Mexico to Huntsville.

An act to provide for the institution and support of a State university.

The House of Representatives has agreed to the 1st and 2nd amendments and disagreed to the 3d amendment of the Senate to the House bill entitled,

An act to establish a State road from Independence to Wayne city in Jackson county.

The House of Representatives has disagreed to the amendment of the Senate to the House bill entitled,

An act to repeal an act to establish a State road from Jefferson City to the town of Hermann.

The House has insisted on their amendment to the Senate bill entitled,

An act to pay Solomon L. Leonard for selecting lands, and

Messrs. Ward, Miller and Wilson of R., have been appointed to confer with such committee as the Senate may appoint to adjust the difference of the two Houses therein.

The House of Representatives also insist on their amendment to the Senate bill entitled,

An act to pay the Adjutant General for extra services imposed by the last General Assembly.

And have appointed Messrs. Ward, Davis and Reid to confer with such committee as the Senate may appoint to adjust the disagreement of the two Houses therein.

The House of Representatives has concurred in the resolution of the Senate providing for the cancelling of the State bonds, and Messrs. Bay, Biggs and Chinault have been appointed on the joint committee created thereby.

The House of Representatives has adopted the following resolution:

Resolved, by the House of Representatives the Senate, concurring therein:

That the committee appointed to draft and report a bill to establish judicial circuits and prescribe the times of holding courts, be instructed to report a bill so as to provide for holding two terms of the circuit court a year, in each county in this State, and two terms a year of the St. Louis court of common pleas and no more.

The House of Representatives has also adopted the following resolution:

Resolved, by the House of Representatives the Senate, concurring therein:

That a joint committee of five members of the House and three of the Senate be appointed, whose duty it shall be to define the boundaries of the several counties of this State, and that said committee report by bill.

Messrs. Wilson of R., Chinault, Miller, Richmond, and Chiles have been appointed the committee on the part of the House of Representatives.

The Speaker has signed the enrolled bills entitled,

An act in relation to the organization of Mercer county,

An act to alter the boundary line of Pettis and Benton counties.

An act to incorporate the town of St. Joseph.

Resolutions restricting the salaries of bank officers.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Ellis from the committee on revision reported without amendment bills entitled,

An act to prevent frauds and perjuries.

An act concerning fraudulent conveyances.

An act to license auctioneers and impose a tax on licenses and sales.

Which were severally read a first time.

The bill entitled,

An act concerning fraudulent conveyances,

Was, on a suspension of the rules, read a second and third times and passed.

The rules was suspended, and the bill entitled,

An act to prevent frauds and perjuries,

Was read a second time.

Mr. Welborn moved its commitment to a committee of the whole, which was negatived.

And the bill was ordered to a third reading.

The rule was suspended, and the bill entitled,

An act to license auctioneers and impose a tax on licenses and sales,

Was read a second time, and referred to the committee of ways and means.

Mr. Harper from the committee on engrossed bills, reported as truly engrossed bills entitled:

An act to provide for the election of Justices of the Peace in the township of St. Louis in the county of St. Louis,

And an amendment to the House bill entitled,

An act to authorise Geo. W. Hinkle and William C. Hinkle to erect a water mill on Big Blue river in Jackson county.

Mr. Ellis offered a bill entitled,

An act to provide for the acceptance on deposit, the money set apart as the share of Missouri in the nett proceeds of the sales of public lands, as provided in the act of Congress, approved Sept. 4th, 1841.

Which was read, and decided by the President to be out of order, on the ground that a joint resolution from the House, embracing the same proposition had been indefinitely postponed by the Senate.

Mr. Ellis appealed from the decision of the chair.

On motion of Mr. Reese,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was —27.

Absent, Messrs. Detchemendy and Lucas.

With leave, Messrs. Blythe and Mills.

Sick, Mr. Fort.

Mr. Thompson, moved to dispense with all further proceedings under the call,

Which was negatived, and,

The absentees having appeared,

On motion of Mr. Shelton,

All further proceedings under the call were dispensed with.

On motion of Mr. Massey another call of the House was ordered.

The roll being called, the number of Senators answering to their names was —28.

Absent, Mr. Jones.

With leave, Messrs. Blythe and Mills.

Sick, Mr. Fort.

The sergeant at arms was despatched to notify Mr. Jones.

Mr. Jones having appeared,

On motion of Mr. Ellis, all further proceedings under the call were dispensed with.

The question was then put, "shall the decision of the chair stand as the judgment of the Senate? and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Detchemendy, Hancock, Harper, Johnson, Jones, Miller, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—16.

Nays—Messrs. Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Harris, Hudspeth, Lucas, Massey, Netherton, O'Bryan and Snell—13.

Absent with leave.—Messrs. Blythe and Mills.

Sick, Mr. Fort.

On motion of Mr. Thompson, the Senate concurred with the House in appointing a committee of conference to take into consideration the disagreement of the two Houses in relation to the amendments of the House to the bill entitled,

An act to pay Solomon L. Leonard for selecting land,

And Messrs. Thompson, Johnson and Reese were appointed on the part of the Senate.

On the further motion of Mr. Thompson, Messrs. Netherton, O'Bryan and Massey, were appointed the committee of conference on the part of the Senate, to take into consideration the disagreement of the two Houses in relation to the amendments of the House to the bill entitled,

An act to pay the adjutant general for extra services, imposed by the last General Assembly.

Mr. Miller, on leave, introduced a bill entitled,

An act for the benefit of the securities of James B. Ackman.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time to morrow.

On motion of Mr. Acock,

Resolved by the Senate, That the Auditor of Public Accounts report to the Senate, what appropriations have been made during the present session, and under what head, also the unexpended balances in the treasury, and what amount in his opinion, will be necessary to defray all just demands which will fall due, together with the ordinary expenses of the State until the revenue of 1845 shall fall due.

The bill entitled,

An act to regulate foreign insurance agencies in this state,

Was read a second time, and

On motion of Mr. Anderson, referred to the committee of ways and means.

The resolution entitled,

"Joint resolution proposing an amendment to the constitution in relation to representation,

Was read a second time.

Mr. Snyder moved its commitment to a committee of the whole,

Which was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Jones, Shelton, Snyder and Welborn—5.

Nays—Messrs. Acock, Anderson, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Johnson, Lucas, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Snell, Thompson and Wolfskill—22.

Absent, Messrs. Detchemendy and Hudspeth.

Absent with leave, Messrs. Blythe and Mills.

Sick, Mr. Fort.

Mr. Lucas moved to refer the resolution to the State convention, which meet in November next; which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Netherton, O'Bryan, Rawlins, Shelton, Snell and Snyder—16.

Nays—Messrs. Detchemendy, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Polk, Powers, Reese, Thompson, Welborn and Wolfskill—13.

Absent with leave, Messrs. Blythe and Mills.

Sick, Mr. Fort.

The resolution entitled,

Joint resolution of instruction to the president and directors of the bank,

Was read a second time.

Mr. Hudspeth moved to lay it on the table which was negatived, when

On motion of Mr. Netherton,

It was indefinitely postponed by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Gentry, Hancock, Harper, Harris, Massey, Miller, Netherton, O'Bryan, Shelton, Snell and Snyder—17.

Nays—Messrs. Hudspeth, Johnson, Jones, Lucas, Polk, Powers, Rawlins, Reese, Thompson, Welborn and Wolfskill—11.

Absent, Mr. Ellis.

With leave, Messrs. Blythe and Mills.

Sick, Mr. Fort.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The bill entitled,

An act to provide for the election of justices of the peace, in the township of St. Louis, in the county of St. Louis.

Was read a third time and passed.

The House bill entitled,

An act to authorise Geo. W. Hinkle and William C. Hinkle to erect a water mill on Big Blue river in Jackson county, together with the engrossed amendments of the Senate,

Was read a third time, and passed as amended.

On motion of Mr. Boggs,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 23.

Absent, Messrs. Campbell, Ellis, Gentry, Hancock, Lucas and Shelton.

With leave, Messrs. Blythe and Mills.

Sick—Mr. Fort.

On motion all further proceedings under the call were dispensed with.

On motion of Mr. Boggs,

The Senate receded from its third amendment to the House bill entitled,

An act to establish a State road from Independence to Wayne city in Jackson county.

The following House bills were severally read a first time, the rule suspended, and read a second and third time and passed.

An act to attach certain territory to Grundy county.

An act to authorise the county court of Bates county to borrow the road and canal fund belonging to said county.

An act to declare a certain county road in Linn and Sullivan counties a State road.

An act to provide for the erection of a seminary of learning in the town of Osceola.

An act to authorise Elias H. Davis to purchase land as guardian for certain minors.

On motion of Mr. Miller, the House bill entitled,

An act to repeal an act to establish a State road from Jefferson City to the town of Hermann,

With the amendment, was laid on the table.

The resolution from the House in relation to establishing judicial circuits and prescribing the times of holding courts, was taken up.

Mr. Polk moved to amend by striking out "two" where it occurs in the resolution, and inserting "three" in lieu thereof.

On motion of Mr. Boggs,

A division of the question was ordered.

The question was then taken on the first branch of the proposition to strike out "two," and was determined in the negative by the following vote:

Yeas—Messrs. Ellis, Lucas, Miller, O'Bryan, Polk, Reese, Snell and Welborn—8.

Nays—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Netherton, Powers, Rawlins, Snyder, Thompson and Wolfskill—19.

Absent—Messrs. Detchemendy and Shelton.

With leave—Messrs. Blythe and Mills.

Sick—Mr. Fort.

The question recurred on the adoption of the resolution, and was determined in the affirmative.

The resolution from the House in relation to the appointment of a joint committee to define the boundaries of the several counties of this State, was taken up, and

On motion of Mr. Boggs, amended by striking out the word "three" and inserting in lieu thereof the word "five" when

The resolution as amended was adopted.

Whereupon the president announced Messrs. Jones, Massey, Campbell, Miller and Reese, as committee on the part of the Senate.

On motion of Mr. Rawlins,

The Senate resolved itself into a committee of the whole, Mr. Ellis in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration the revised bill entitled,

An act concerning crimes and their punishments,

Had amended the same, and without coming to any definite conclusion thereon, had risen, and instructed him to report progress and ask leave to sit again.

The report was agreed to, and

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, *February 26, 1845.*

The Senate met pursuant to adjournment.

Mr. Jones presented the petition of Mark Moss, late sheriff of Jefferson county, praying for the passage of an act allowing costs in certain cases.

Which was referred to a select committee, consisting of Messrs. Jones, Huds-
peth and Rawlins.

Mr. Ellis, from the committee on the penitentiary, to whom was recommitted
the House bill entitled,

An act amendatory of an act to authorise improvements in the penitentiary,
approved Feb. 28th, 1843, and of an act concerning the government and dis-
cipline of the penitentiary, approved Feb. 20th, 1843,

Reported it to the Senate with an amendment, and recommended its passage.

Mr. Acock moved to amend the report as follows:

Add the following at the end of the 2nd section:

"Provided the inspectors shall not contract for the contemplated improve-
ments proposed in this act, unless it can be done for a fair and reasonable price.

Which was read and rejected, when,

On motion of Mr. Harper,

The report and bill were laid on the table until Monday, the 10th day of
March next.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. President:

The following bills have been introduced in the House of
Representatives:

An act to improve the breed of sheep.

Joint resolution authorizing the Governor to borrow money.

The following bill has passed the House of Representatives.

An act to authorize the county court of New Madrid county to bor-
row the road and canal fund belonging to said county.

The House of Representatives has rejected the Senate bill entitled,

An act to provide for assessing the taxable property of this State and for ma-
king lists of the same,

The House of Representatives has concurred in the resolution of the Senate
instructing the committee on the penitentiary of the two Houses, to settle with
the lessees thereof.

Mr. Jones, from the committee on engrossed bills, reported as truly engrossed,
a bill entitled,

An act for the benefit of the securities of James B. Ackman.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled,
bills entitled,

An act for the relief of Willoughby Lane.

An act to incorporate the Franklin Fire company of St. Louis.

An act to legalize certain acts of the county court of Cape Girardeau county,

An act for establishing and keeping in repair roads and highways in the coun-
ty of St. Louis.

An act to charter the St. Louis Public Library Association.

An act to authorise the county court of Pulaski county to borrow the road
and canal fund belonging to said county.

An act to authorise the county court of Grundy county to sell sixteenth sec-
tions.

Whereupon said enrolled bills were transmitted to the House of Representa-
tives for the signature of the Speaker, when a message was received informing
the Senate, that they had been signed by the Speaker, and thereupon they were
signed by the President of the Senate.

Mr. Reese from the select committee to whom was referred the House bill en-
titled,

An act to define the southern boundary of Shelby county,

Made the following report:

The bill takes eighteen sections of land from Monroe and adds them to Shel-

by, and eighteen sections from Shelby and adds them to Monroe. From the best information in the possession of the committee, the people on both strips of land, are opposed to it, and there is no petition in favor of it. The question of changing county lines, and the citizenship of a number of people, without notice and without their consent, involves consequences too important, to meet the approbation of your committee. The committee therefore recommend that the bill be rejected, and pray to be discharged from the further consideration of the subject.

The report was read and agreed to, and the bill rejected.

Mr. Miller from the select committee to whom was referred the petition of sundry citizens praying for the establishment of a State road, reported a bill entitled,

An act to establish a State road from California to Boonville,

Which was read a first time, the rule suspended read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

On motion of Mr. Massey,

Resolved that the committee on the penitentiary on the part of the Senate, be requested to make an estimate of the cost in cash, for such improvement as in their opinion may be necessary for the comfort of the convicts, and the interests of the State, to be made in said institution, and report the same to the Senate.

The following bills were on leave severally introduced, read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

By Mr. Fort,

An act supplementary to an act respecting a State road in Randolph county, approved Feb. 25, 1845.

By Mr. Miller,

An act supplementary to an act to organize the county of Moniteau, also,

An act to further provide for the collection of the revenue of Cole county.

By Mr. Reese,

An act to view and mark out a State road from Kirksville to the northern boundary line.

By Mr. Detchemendy:

An act for the relief of the collector of Ste. Genevieve county.

Mr. Jones, on leave, introduced a bill entitled,

An act concerning practice at law.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and ordered to a third reading on Monday the 10th day of March next.

The House bill entitled,

An act concerning notaries public and bank officers,

Was read a second time.

Mr. Fort moved to amend the bill as follows:

To come in as an additional section.

Sec. 2. The seventeenth section of the above recited act shall not be so construed as to disqualify militia officers, justices of the peace or the Lieut. Governor of this State, for president or director of the bank of the State of Missouri or either of its branches.

Which was read, and

On motion of Mr. Rawlins, rejected by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Detchemendy, Gentry, Hancock, Harper, Harris, Lucas, Massey, Powers, Rawlins, Snell, Snyder, Thompson, Welborn and Wolfskill—17.

Nays—Messrs. Calhoun, Fort, Hudspeth, Johnson, Jones, Miller, Polk and Reese—8.

Absent—Messrs. Anderson, Ellis, Netherton, O'Bryan and Shelton.
With leave—Messrs. Blythe and Mills.

On motion the rule was suspended, and the bill read a third time.

Mr. Fort moved to amend by way of ryder as follows:

To come in as an additional section:

Sec. 2. The seventeenth section of the above recited act, shall not be so construed as to disqualify militia officers from being president or director of the bank of the State of Missouri or either of its branches.

Which was read a first time.

Mr. Rawlins moved its rejection, which was determined in the negative by the following vote:

Yeas—Messrs. Campbell, Gentry, Hancock, Harper, Harris, Netherton and Rawlins—7.

Nays—Messrs. Acock, Anderson, Boggs, Ellis, Fort, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, O'Bryan, Polk, Powers, Reese, Shelton, Snyder, Snell, Thompson, Welborn and Wolfskill—21.

Absent, Messrs. Calhoun, and Detchemendy.
With leave, Messrs. Blythe and Mills.

The rule was then suspended, and the ryder read a second time, considered as engrossed, and read a third time.

The question was then taken on the passage of the bill, as amended and was determined in the affirmative by the following vote:

Yeas.—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hudspeth, Johnson, Jones, Miller, Netherton, Rawlins, Reese, Shelton, Snyder and Welborn—16.

Nays—Messrs. Acock, Campbell, Gentry, Hancock, Harper, Harris, Lucas, Massey, O'Bryan, Polk, Powers, Snell, Thompson and Wolfskill—14.

With leave, Messrs. Blythe and Mills.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Acock, the bill entitled,

An act for the benefit of the securities of James B. Ackman,

Was laid on the table until Monday next.

The bill entitled,

An act to prevent frauds and perjuries,

Was read a third time and passed.

The House bill entitled,

An act to authorise the county court of New Madrid county to borrow the road and canal fund belonging to said county,

Was read a first time, the rule suspended, read a second and third times and passed.

Message from the House of Representatives, by Mr. Lowe, engrossing clerk.

MR. PRESIDENT:

The House of Representatives has passed a bill entitled,
An act concerning township plats.

The House of Representatives has amended, and passed as amended the Senate bill entitled,

An act supplementary to an act respecting a State road in Randolph county, approved Feb. 25, 1845.

On motion of Mr. Acock,

The Senate resolved itself into committee of the whole,

Mr. Anderson in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act concerning crimes and their punishments.

An act concerning corporations.

An act concerning judgments and decrees, and

An act regulating the action of ejectment,

Had agreed to the same, and instructed him to report them to the Senate for further action thereon.

The report was agreed to.

The bill entitled,

An act concerning crimes and their punishments,

Was read a third time.

Mr. Fort moved to amend by way of ryder as follows, to come in at the end of the 9th article:

Sec. 46. Hereafter, no female shall be punished by imprisonment in the penitentiary of this State, for the commission of any crime, offence, or for any cause whatever: and all trials and convictions of females for any such offences are hereby prohibited, any law to the contrary notwithstanding.

Which was read a first time, and

On motion of Mr. Massey, rejected by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Johnson, Jones, Lucas, Massey, Miller, Netherton, O'Bryan, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson Welborn and Wolfskill—26.

Nays—Messrs. Fort, Hancock, Hudspeth and Polk—4.

Absent, with leave, Messrs. Blythe and Mills.

Mr. Hudspeth moved to amend by way of ryder as follows:

In the 31st section of 2nd article strike out all after the word "sections," and insert "suffer death."

Which was read a first time, and

On motion of Mr. Shelton, rejected by the following vote:

Yeas—Messrs. Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Jones, Massey, Miller, Netherton, O'Bryan, Polk, Powers and Shelton—15.

Nays—Messrs. Acock, Anderson, Boggs, Detchemendy, Fort, Hudspeth,

Johnson, Lucas, Rawlins, Reese, Snell, Snyder, Thompson, Welborn and Wolfskill—15.

Absent with leave—Messrs. Blythe and Mills.

The Senate being equally divided the President gave the casting vote in the affirmative.

Mr. Harper moved to amend by way of ryder as follows:

In the 8th article, 34th section, strike out all after the word "merchandize," to the word "after."

Which was read, and on motion of Mr. Shelton, rejected.

The question then recurred on the passage of the bill and was determined in the affirmative.

The following bills were severally read a third time and passed:

An act concerning corporations.

An act regulating the action of ejectment, and

An act concerning judgments and decrees.

On motion of Mr. Fort, the amendments of the House to the bill entitled,

An act supplementary to an act respecting a State road in Randolph county, approved Feb. 25th, 1845,

Were taken up and concurred in.

Mr. Polk moved to adjourn, which was negatived.

On motion of Mr. Fort, the House bill entitled,

An act concerning township plats.

Was taken up, read a first time, the rule suspended, read a second time, when

On motion of Mr. Fort,

The bill was ordered to a third reading on Monday next.

On motion, the Senate adjourned, until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *February 27, 1845.*

The Senate met pursuant to adjournment.

Mr. Hancock from the committee on claims to whom was referred the petition of Peter M'Clain, asking remuneration, for his services as superintendent of certain improvements on Main street in the City of Jefferson, made a report adverse to granting the prayer of the petitioner, and asked to be discharged from the further consideration of the subject.

Mr. Miller moved to lay the report on the table.

Which was negatived,

When the report was agreed to.

Mr. Acock from the committee of ways and means, to whom was referred the House bill entitled, an act for the relief of Jones H. Owen, collector of Platte county,

Reported it to the Senate without amendment, and recommended its passage.

The report was agreed to and the bill read a third time and passed.

Mr. Acock also from the same committee to whom was referred the bill entitled,

An act to license auctioneers and impose a tax on licenses and sales,

Reported it back with an amendment, and recommended its passage as amended.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Anderson, from the select committee, to whom was referred the bill entitled,

An act to amend an act to reduce the law to incorporate the city of St. Louis, approved Feb. 8th, 1843,

Reported that in the opinion of the committee the measure contemplated by the amendment was, at this time, impracticable, and therefore recommended the reference of the bill to the next General Assembly.

The report was agreed to, and the bill so referred.

Mr. Polk moved to reconsider the vote by which the bill entitled,

An act amendatory of an act to authorize improvements in the Penitentiary, approved, February 28, 1843, and of an act concerning the government and discipline of the Penitentiary, approved February 20th, 1843,

Together with Mr. Ellis's report, was laid on the table until Monday the 10th day of March next.

Which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Ellis, Hancock, Hudspeth, Jones, Lucas, Miller, Netherton, Polk, Rawlins, Thompson and Welborn—14.

Nays—Messrs. Campbell, Calhoun, Detchemendy, Gentry, Harper, Harris, Johnson, Massey, O'Bryan, Powers, Shelton, Snell, Snyder and Wolfskill—14.

Absent on committee, Messrs. Fort and Reese.

With leave, Messrs. Blythe and Mills.

The Senate being equally divided the President gave the casting vote in the affirmative.

Mr. Lucas moved to lay the bill and report on the table until Monday next. Which was negatived.

Mr. Ellis moved to commit them to a committee of the whole.

Which was negatived.

When, on motion of Mr. Hudspeth,

The bill and report were recommitted to the committee on the penitentiary.

Message from the House of Representatives by Mr. Lowe, engrossing clerk:

MR. PRESIDENT:

The following bills have been reported to the House of Representatives from the revising committee:

An act to regulate practice at law.

An act concerning costs.

An act regulating conveyances.

An act to regulate the inspection of tobacco.

The following bills have been introduced in the House of Representatives:

An act for the benefit of Delila Cartmill.

An act for the relief of Warren Finley.

The following bills have passed the House of Representatives:

An act for the county of Crawford to borrow from the road and canal fund.

An act to extend a State road in Pike county.

An act to authorise Robert A. Brown to erect a mill dam.

An act to authorise the county court of Shannon county to borrow the road and canal fund.

An act supplementary to an act to organize certain counties.

An act to establish a State road from Palmer's landing in Boone county to Marion in Cole county.

An act relative to common schools in Perry county.

Joint resolution authorising the Governor to borrow money.

The House of Representatives has amended and passed as amended the Senate bill entitled,

An act to establish a State road in Pike county.

The House of Representatives has indefinitely postponed the Senate bill entitled,

An act to authorise Samuel M'Corkle to build a dam across James' fork of White river.

The House of Representatives has adopted the following resolution:

Resolved, That the committee on revision having discharged all the duties committed to them is hereby dissolved.

The House of Representatives has passed the Senate bill entitled,

An act for the relief of the collector of Ste. Genevieve county.

The report of minority of the select joint committee appointed to examine the State tobacco warehouse are hereby transmitted to the Senate, by order of the House, with a request that the Senate will examine the same and return it to the House of Representatives.

The Speaker has signed the enrolled bills entitled,

An act for the relief of Edward Beatty.

An act to provide for the institution and support of a State university.

An act concerning guardians, curators and minors,

An act to extend a State road from Mexico to Huntsville.

An act to survey and mark out a State road from Bolivar, in Polk county, to Fort Scott.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Hudspeth submitted the following:

Resolved by the Senate the House of Representatives, concurring therein:

That neither House will receive or entertain any new business from and after the 8th day of March next.

The question on the adoption of the resolution, was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Detchemendy, Gentry, Hancock, Hudspeth, Johnson, Lucas, Rawlins, Shelton, Snell and Wolfskill—12.

Nays—Messrs. Anderson, Boggs, Calhoun, Ellis, Harper, Harris, Massey, Miller, Netherton, Polk, Powers, Snyder, Thompson and Welborn—14.

Absent—Messrs. Jones and O'Bryan.

On committee, Messrs. Fort and Reese.

With leave, Messrs. Blythe and Mills.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act to authorise William B. Martin to keep a ferry without license.

An act concerning the road and canal fund of Camden county.

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor of public accounts.

An act supplementary to an act respecting a State road in Randolph county.

An act amendatory and supplementary of an act incorporating the St. Louis Gas light company.

An act to annul the survey of the town of Oregon, in Lawrence county.

A memorial to the Congress of the United States.

An act concerning divorce and alimony.

An act to incorporate the town of Palmyra in Marion county.

An act to define the boundaries of Putnam county and to organize the same.

An act supplemental and explanatory of an act entitled an act to provide for the organization of new counties, approved Feb. 15, 1845.

An act supplementary to an act to establish a fifth branch of the bank of the State of Missouri.

An act for the relief of Robert Wood collector of Pulaski county.

An act to locate the county seat of Ripley county.

An act to incorporate the Mound Fire Company of St. Louis.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act for the relief of Willoughby Lane.

An act to incorporate the St. Louis Franklin Fire company.

An act legalizing certain acts of the county court of Cape Girardeau county.

An act to authorise the county court of Pulaski county to borrow the road and canal fund belonging to said county.

An act to authorise the county court of Grundy county to sell sixteenth sections.

An act for establishing and keeping in repair roads and highways in the county of St. Louis.

An act to incorporate the St. Louis public library association.

On motion the Senate went into executive session, and after some time spent therein resumed business.

Mr. Anderson, on leave, introduced

Joint resolution to authorise the Secretary of State to purchase clocks, and for other purposes.

Which was read a first time and ordered to a second reading.

Mr. Thompson, on leave, introduced a bill entitled,

An act to view and mark out a state road from St. Josephs in Buchanan county to Oregon in Holt county.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time and passed.

On motion of Mr. Welborn,

The amendment of the House to the bill entitled,

An act to establish a State road in Pike county,

Was taken up and concurred in.

The following House bills were severally read a first time and ordered to a second reading.

An act supplemental to an act to organize certain counties.

An act relative to common schools in Perry county.

The following House bills were severally read a first time, the rule suspended, and read a second and third times and passed.

An act to authorise Robert A. Brown to erect a mill dam.

An act to establish a State road from Palmer's landing in Boone county, to Marion in Cole county.

An act for the county of Crawford to borrow the road and canal fund.

The House bill entitled,

An act to authorise the county court of Shannon county to borrow the road and canal fund,

Was read a first time, and laid on the table.

The House bill entitled,

An act to extend a State road in Pike county,

Was read a first time, the rule suspended, read a second time, and ordered to a third reading to-morrow.

The House resolution entitled,

Joint resolution authorising the Governor to borrow money,

Was read a first time, the rule suspended, read a second time, and referred to the committee of ways and means.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 27, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles to wit:

An act to provide for the surrender and cancellation of certain bonds of the State of Missouri, and for the issue of other equivalent bonds therefor.

An act concerning the paymaster of the first regiment of militia in St. Louis county.

An act concerning landlords and tenants in the county of St. Louis.

An act to restrain intercourse with the Indians.

An act to establish a court of common pleas in the county of St. Louis.

An act respecting constables.

An act for the benefit of the heirs of John D. Foster.

An act granting certain powers to the county court of Ste. Genevieve county.

An act to incorporate the Missouri Historical and Philosophical Society.

An act to incorporate the Orphans' Home.

An act to incorporate the Franklin fire company of St. Louis.

An act authorising the county court of Pulaski county to borrow the road and canal fund belonging to said county.

An act to incorporate the St. Louis public library association.

An act to authorise the county court of Grundy county to sell sixteenth sections.

An act legalizing certain acts of the county court of Cape Girardeau county.

An act for the relief of Willoughby Lane.

I am very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

The Senate went into executive session.

The President laid before the Senate a communication from the Auditor of Public Accounts, giving a statement of the condition of the finances of the State, the appropriations during the present session, the unexpended balances, the probable amount of ordinary expenditures the coming year, &c., in compliance with a resolution of enquiry of the Senate of the 25th inst.

Which was read and referred to the committee of ways and means.

On motion of Mr. Jones,

The select committee on the State tobacco warehouse was discharged from the further consideration of the claim of the commissioners appointed to select a site to locate the State tobacco warehouse, and the same was referred to the committee on agriculture.

On motion of Mr. Acock, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—26.

Absent, Messrs. Calhoun and Shelton.

On committee, Messrs. Fort and Reese.

With leave, Messrs. Blythe and Mills.

The door-keeper was despatched to notify the absentees, and

The absentees having appeared,

All further proceedings under the call were dispensed with.

On motion of Mr. Acock,

The Senate resolved itself into a committee of the whole, Mr. Massey in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act to establish a criminal court in the county of St. Louis.

An act to establish a probate court in St. Louis Louis county, and for other purposes.

Which they had agreed to without amendment, and instructed him to report them to the Senate for further action thereon, also,

A bill entitled,

An act to regulate elections.

Had amended the same, agreed to it as amended, and instructed him to report it to the Senate for its further action thereon.

The report was agreed to, and

The following bills were severally read a third time and passed:

An act to regulate elections.

An act establishing a probate court in St. Louis county and for other purposes.

The bill entitled,

An act to establish a criminal court in the county of St. Louis,

Was ordered to a third reading on to morrow.

The report of the minority of the committee on the State tobacco warehouse was read and ordered to be returned to the House.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *February* 28, 1845.

The Senate met pursuant to adjournment.

Mr. Wolfskill presented the petition of sundry citizens of Linn and Sullivan counties, praying for the establishment of a State road from the Grand Chariton to the Missouri river,

Which was read and referred to a select committee consisting of Messrs. Wolfskill, Ellis and Johnson.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled: bills entitled,

An act to survey and mark out a State road in Pike county.

An act concerning mills and mill dams.

An act for the relief of the collector of Ste. Genevieve county.

Mr. Jones from the select committee, to whom was referred the bill entitled,

An act respecting executors and administrators,

Reported it to the Senate with amendments.

The report and amendments were read and agreed to, and the bill as amended was ordered to a third reading on to-morrow.

The following bill was on leave introduced, read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

By Mr. Polk,

An act supplementary to an act entitled an act to organize the county of Reynolds.

The following bills were on leave severally introduced, read a first time, the

rule suspended read a second time, ordered to be engrossed, and read a third time.

By Mr. Rawlins,

An act relative to common schools in Howard county, to be read on Monday next.

By Mr. Campbell,

An act to incorporate the Palmyra manufacturing company, to be read a third time on Wednesday next.

Mr. Acock from the committee of ways and means, reported a bill entitled, An act concerning the treasury of the State.

Which was read a first time the rule suspended and read a second.

On motion of Mr. Acock,

A call of the House was ordered.

The roll being called the number of Senators answering to their names was —24.

Absent, Messrs. Anderson, Calhoun, Detchemendy and Ellis.

Absent on committee, Messrs. Fort and Reese.

Absent with leave, Messrs. Blythe and Mills.

The sergeant at arms was dispatched to notify the absentees, and

On motion, all further proceedings under the call were dispensed with.

On motion, of Mr. Lucas, leave of absence was granted to Mr. Anderson for a few days.

On motion of Mr. Acock, the rules were suspended, the bill was considered as engrossed, and read a third time.

Mr. Boggs moved to amend by way of ryder as follows:

Strike out all after the word "improvement" in the 7th line of the 1st section, to and including the word "treasury" in the 9th line of the same section, and strike out the following at the end of the 2nd section, to wit: "on the road and canal fund."

Which was read a first time, and objections being made by Mr. Acock,

The question on the rejection of the ryder was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Hudspeth, Johnson, Miller, Powers, Rawlins, Shelton, Snyder and Welborn—10.

Nays—Messrs. Boggs, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Jones, Lucas, Massey, Netherton, O'Bryan, Polk, Snell, Thompson and Wolfskill—17.

Absent on committee, Messrs. Fort and Reese.

With leave, Messrs. Anderson, Blythe and Mills.

On motion of Mr. Acock,

The bill and ryder were committed to the committee of ways and means.

On motion of Mr. O'Bryan,

Leave was given to Peter McLain to withdraw his petition.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. PRESIDENT:—

The following bill has been introduced in the House of Representatives:

An act to provide for disposing of the tobacco warehouse at St. Louis.

The following revised bills have passed the House of Representatives:

An act regulating set-off.

An act to provide for the recovery of debts by attachment.

The following revised bills from the Senate have passed the House of Representatives:

An act to regulate the office of Secretary of State.

An act to license and tax money brokers and exchange dealers.

An act concerning fraudulent conveyances.

The House of Representatives has amended, and passed as amended, the Senate bill entitled,

An act to define the jurisdiction and regulate the proceedings of justices courts in cases of breach of the peace.

The Speaker has signed the enrolled bills entitled,

An act to survey and mark out a State road in Pike county.

An act concerning mills and mill dams.

An act to incorporate the Mound Fire company of St. Louis.

An act to locate the county seat of Ripley county.

An act for the relief of Robert Wood, collector of Pulaski county.

An act supplementary to an act to establish a fifth branch of the bank of the State of Missouri.

An act to define the boundaries of Putnam county, and organize the same.

An act to incorporate the town of Palmyra in Marion county.

An act concerning divorce and alimony.

An act supplementary and explanatory of an act entitled "an act to provide for the organization of certain counties," approved Feb. 15th, 1845.

An act to annul the survey of the town of Oregon in Lawrence county.

An act amendatory and supplementary of an act to incorporate the St. Louis Gas light company, approved Feb. 4, 1837.

An act supplementary to an act respecting a State road in Randolph county, approved Feb. 25, 1845.

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor of public accounts.

An act concerning the road and canal fund in Camden county.

An act to act to authorise William B. Martin to keep a ferry.

Memorial to congress in relation to the graduation of the price of the public lands.

An act for the relief of the collector of Ste. Genevieve county.

An act to provide for the erection of a seminary of learning in the town of Osceola.

An act to establish a State road from Independence to Wayne city in Jackson county.

An act to declare a certain county road in Linn and Sullivan counties a State road.

An act to authorise Elias H. Davis to purchase land as guardian for certain minors.

An act to attach certain territory to Gentry county.

An act to authorise the county court of Bates county to borrow the road and canal fund belonging to said county.

An act to regulate proceedings on writs of habeas corpus.

An act respecting vagrants.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 28, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed a bill of the following title:

An act for establishing and keeping in repair roads and highways in the county of St. Louis.

Very respectfully,

Your ob't. s'vt,

JOHN C. EDWARDS.

The bill entitled,

An act for the benefit of the corporation of the town of Washington in Franklin county,

Was read a second time, considered as engrossed, and read a third time, and passed, on a suspension of the rules.

The resolution entitled,

Joint resolution to authorise the Secretary of State to purchase clocks and for other purposes,

Was read a second time, and on motion of Mr. Acock, laid on the table until the 4th day of July next.

The House bill entitled,

An act relative to common schools in Perry county,

Was read a second time, and ordered to a third reading.

The House bill entitled,

An act supplemental to an act to organize certain counties,

Was read a second time the rule suspended, and read a third time and passed.

The House bill entitled,

An act to extend a State road in Pike county,

Was read a third time and passed.

The House bill entitled,

An act to provide for the recovery of debts by attachment,

Was read a first time, the rule suspended, read a second time and committed to a committee of the whole.

The House bill entitled,

An act regulatiug set off.

Was read a first time, the rules suspended, read a second and third times and passed.

The amendments of the House to the bill entitled,

An act to define the jurisdiction and regulate proceedings of justices courts in cases of breaches of the peace,

Were taken up and concurred in.

Mr. Massey submitted the following:

Resolved, That the committee on the part of the Senate upon the militia be instructed, to report a bill for the organization of the militia, without requiring or making any provision for company, regimental or battallion musters, except by uniform volunteer companies.

Mr. Fort moved to lay it on the table, which was negatived.

The question was then taken on the adoption of the resolution, and was determined in the negative.

Message from the House of Representatives, by Mr. Bay, a member.

MR. PRESIDENT:

The House of Representatives has passed a bill entitled,

An act supplementary to an act to authorize Woods, Estell and Hughes to erect a dam across Platte river, and

An act to authorise Johnson and Swain to erect a dam across Platte river.

The House of Representatives has adopted the following resolution:

Resolved, the Senate concurring therein, That the joint committee appointed to cancel the State bonds, lately withdrawn from the bank, be and they are

hereby further instructed, to make a memorandum of said bonds, showing the number and amount of each package, and to file a copy of the same, in the office of the Secretary of State, and Auditor of public accounts, to be recorded in said offices, and that said committee, immediately thereafter, cause said bonds and the coupons accompanying them to be burnt.

Mr. Reese from the joint committee to whom was referred the resolution instructing them to cancel the bonds of the State withdrawn from the bank of Missouri, reported that the committee had performed the duty assigned them, in compliance with the said resolution, also

Reported the following resolution and recommended its adoption.

Resolved, the House concurring therein, That the joint committee appointed to cancel the State bonds late withdrawn from the bank, be and they are hereby further instructed to make a memorandum of said bonds, showing the number and the amount of each package, and file a copy of the same, with the Secretary of State, and Auditor of public accounts, to be recorded in said offices, and that said committee immediately thereafter cause said bonds and the coupons accompanying them to be burnt.

The report was read and agreed to.

On motion of Mr. Reese,

The resolution from the House instructing said committee to burn said bonds with the coupons was concurred in.

On motion of Mr. Johnson, the House bill entitled,

An act supplementary to an act to authorise Woods, Estill and Hughes to erect a dam across Platte river, and to

An act to authorise Johnson and Swain to erect a mill dam across Platte river,

Was taken up, read a first time, the rule suspended and read a second and third times and passed.

Mr. Boggs from the select committee, to whom was referred the House bill entitled,

An act to change a certain State road in Jackson county,

Reported it to the Senate with amendments, and recommended its passage as amended.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

On motion of Mr. Jones, the report of the committee on the State tobacco warehouse,

Was taken up and agreed to.

Mr. Reese moved that 1500 copies be ordered to be printed.

Which was determined in the negative by the following vote:

Yeas—Messrs. Campbell, Detchemendy, Harper, Hudspeth, Jones, Lucas, Polk, Reese and Thompson—9.

Nays—Messrs. Acock, Boggs, Calhoun, Ellis, Gentry, Hancock, Harris, Johnson, Massey, Netherton, O'Bryan, Powers, Rawlins, Shelton, Snyder, Welborn and Wolfskill—17.

Absent—Messrs. Miller and Snell.

On committee, Mr. Fort.

Absent with leave—Messrs. Anderson, Blythe and Mills.

On motion of Mr. Acock,

The report was referred to the committee on agriculture.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

SATURDAY MORNING, *March 1, 1845.*

The Senate met pursuant to adjournment.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act to license and tax money brokers and exchange dealers.

An act concerning fraudulent conveyances,

Mr. Rawlins also from the same committee, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act for the relief of the collector of Ste. Genevieve county.

An act to authorise William B. Martin to keep a ferry.

A memorial to the Congress of the United States.

An act concerning the road and canal fund in Camden county.

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor of public accounts.

An act supplementary to an act respecting a State road in Randolph county.

An act amendatory and supplementary of an act to incorporate the St. Louis Gas light company, approved Feb. 4, 1837.

An act to annul the survey of the town of Oregon in Lawrence county.

An act supplementary and explanatory of an act entitled "an act to provide for the organization of certain counties," approved Feb. 15th, 1845.

An act to survey and mark out a State road in Pike county.

An act concerning mills and mill dams.

An act to incorporate the Mound Fire company of St. Louis.

An act to locate the county seat of Ripley county.

An act for the relief of Robert Wood, collector of Pulaski county.

An act supplementary to an act to establish a fifth branch of the bank of the State of Missouri.

An act to define the boundaries of Putnam county, and organize the same.

An act to incorporate the town of Palmyra in Marion county.

An act concerning divorce and alimony.

Mr. Jones, from the joint committee appointed to settle with Hiram H. Baber, the late Auditor of Public Accounts, reported that the committee had employed Jesse B. Baber, as the clerk to cancel the vouchers and receipts in the Auditor's office, in pursuance of the resolution adopted for that purpose, that the clerk had been employed five days in that service, and that the committee had certified his account therefor.

The report was read.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. President:—

The following bills have been introduced in the House of Representatives:

An act to establish a State road from John Seiber's in Lewis county to John Carson's in Marion county.

An act to repeal all acts allowing to persons the privilege of peddling without license.

Joint resolution in relation to Platte river.

The following revised bills have passed the House of Representatives:

An act concerning costs.

An act for the speedy recovery of debts due on bonds and notes.

An act to provide for the publication and distribution of the laws and journals.

The following bills have passed the House of Representatives.

An act to incorporate the inhabitants of the town of Fayette.

An act for the benefit of William A. Whitehead.

An act to incorporate an academy in the town of St. Ferdinand in St. Louis county.

An act for the relief of Joseph Gibson.

An act to incorporate the city of Lexington.

An act for the benefit of A. B. Potts and Robert Reed.

An act to incorporate the Liberty Institute in Gasconade county.

An act for the benefit of Joseph H. Reynolds and Harman T. Wilson.

The House of Representatives has rejected the bill entitled,

An act for the benefit of Jeremiah Buckley.

Messrs. Younger, Jasper, Thompson and Rogers have been appointed on the committee on apportionment on the part of the House.

The Speaker has signed the enrolled bills entitled,

An act to license and tax money brokers and exchange dealers.

An act concerning fraudulent conveyances.

Whereupon the President of the Senate signed said enrolled bills.

The following bills were on leave, severally introduced, read a first time, the rule suspended, read a second time and disposed of as follows:

By Mr. Polk,

An act to define the boundaries of Wayne and Reynolds counties.

Ordered to be engrossed and read a third time on Monday next.

By Mr. Jones,

An act for the relief of John L. Hamilton, collector of Franklin county,

Referred to the committee on claims.

On motion of Mr. Welborn,

Mr. Fort was added to the select committee on apportionment.

On motion of Mr. Reese,

The Senate went into secret session, and after some time spent therein, the Senate resumed its sitting.

The House bill entitled,

An act relative to common schools in Perry county,

Was read a third time and passed.

On motion of Mr. Acock,

The Senate resolved itself into a committee of the whole, Mr. Rawlins in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration a bill entitled,

An act to regulate the interest of money.

And without coming to any definite conclusion thereon, had instructed him to report progress and ask leave to sit again.

The report was agreed to.

Mr. Polk moved to adjourn until Monday morning at 9 o'clock.

Which was negatived.

Mr. Boggs moved to adjourn till 2 o'clock.

Which was negatived.

On motion, the Senate went into secret session and after some time spent therein, the Senate resumed its sitting.

The President laid before the Senate the following communications from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 28, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed
a bill of the following title:

An act supplementary to an act respecting a State road in Randolph county, approved Feb. 25th, 1845.

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Feb. 28, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles to wit:

An act to define the boundaries of Putnam county and to organize the same.

An act concerning divorce and alimony.

An act supplementary to an act entitled an act to establish a fifth branch of the bank of the State of Missouri.

An act to authorise William B. Martin to keep a ferry.

An act to incorporate the Mound Fire Company of St. Louis.

An act amendatory and supplementary of an act to incorporate the St. Louis Gas light company, approved Feb. 4, 1837.

An act to authorise the securities of Levi D. Blankenship to settle with the Auditor of public accounts.

A memorial to Congress in relation to graduating the price of public lands.

An act for the relief of the collector of Ste. Genevieve county.

An act to survey and mark out a State road in Pike county.

An act supplemental and explanatory of an act entitled an act to provide for the organization of certain counties, approved Feb. 15, 1845.

An act to annul the survey of the town of Oregon, in Lawrence county.

An act to locate the county seat of Ripley county.

An act concerning the road and canal fund of Camden county.

An act for the relief of Robert Wood collector of Pulaski county.

I am very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion the Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, *March 3, 1845.*

The Senate met pursuant to adjournment.

Mr. Thompson, from the committee of conference, to whom was referred the disagreement of the two Houses in relation to the amendments to the Senate bill entitled,

An act to pay Soloman L. Leonard for selecting lands,

Reported that the committee had agreed to recommend to the two Houses to insert in said bill the sum of seventeen hundred and fifty dollars in lieu of the sum of two thousand dollars, inserted by the Senate, and fifteen hundred dollars inserted by the House.

The report was read and agreed to.

Mr. Thompson, also, from the select committee, to whom was referred the petition of sundry citizens of Buchanan county, praying for the passage of an act for the removal of the seat of justice from Sparta to St. Josephs, reported that but eight hundred names were subscribed to said petition, and that the votes polled at the last November election were seventeen hundred and sixty-one, and that from the returns of the collectors for said county for the year

1844, there appeared to be two thousand and eighty-eight legal voters in the same, and the committee instructed him to report a bill entitled,

An act to authorise the people of Buchanan county to remove the seat of justice,

With the recommendation that it be read a first and second time and laid on the table, subject to be taken up whenever a majority of the legal voters of Buchanan county should petition for the removal of the seat of justice.

The bill was read a first time, the rule suspended, read a second time and laid on the table.

Mr. Hudspeth from the select committee to whom was referred the bill entitled,

An act to move a certain State road in Pulaski county,

Reported that as the change was unnecessary, and uncalled for by any petition, the committee had instructed him to report, the bill to the Senate with the recommendation that it be rejected.

The report was read and agreed to, and the bill rejected.

On motion of Mr. Acock,

The bill entitled,

An act to provide for the redemption of certain State bonds,

Together with the report of the committee of ways and means, was taken up and recommitted to said committee.

On motion of Mr. Massey,

Resolved by the Senate, That the Auditor of public accounts be requested to inform the Senate, the amount paid the commissioners appointed under an act entitled,

An act to provide for revising and digesting the laws of this State,

If any thing has been paid, to whom paid, distinguishing the amount paid to each, and the amount still claimed if any, by each of said commissioners.

The House bill entitled,

An act concerning executors and administrators,

Was laid on the table till Thursday next.

Message from the House of Representatives, by Mr. Huston assistant clerk.

Mr. President:

The following bills have passed the House of Representatives:

An act for the relief of Richard D. Austin and Wm. K. Van Arsdale of Monroe county.

An act for the relief of John Smarr.

An act for the relief of Israel B. Grant, clerk of the Callaway county court.

An act for the relief of Hamilton Finney, and Geo. Arrowsmith.

An act for the relief of William Lawson, sheriff of Ripley county.

An act amendatory of an act to incorporate the city of Boonville, approved Feb. 8, 1839.

An act concerning aliens.

An act to establish a State road in Morgan county.

An act to establish a State road in Camden and other counties.

An act to incorporate the town of Savannah.

An act relative to a State road in Franklin county, established by an act approved Feb. 1st, 1839.

An act to repeal an act to lay out and mark a State road from the Hermann and Port William road in Franklin county, to the St. Louis and Jefferson city State road in St. Louis county, approved Feb. 16, 1843.

The House of Representatives has passed the revised bill entitled,

An act to provide for choosing electors of President and Vice President of the United States.

The Speaker of the House of Representatives has signed the enrolled bills entitled,

An act concerning slaves.

An act to authorize the county court of New Madrid county to borrow the road and canal fund belonging to said county.

An act to establish a State road from Palmer's landing in Boone county, to Marion in Cole county.

An act for the relief of Jones H. Owen, collector of Platte county.

An act declaring Chariton river a public highway.

An act for the county of Crawford to borrow the road and canal fund.

An act to authorize Robert A. Brown to erect a mill dam.

An act to license and tax peddlers.

An act supplemental to an act to organize certain counties.

An act respecting impeachments.

An act concerning writs of quo warranto.

Whereupon the President of the Senate signed said enrolled bills.

The following House bills were severally read a first time, the rule suspended, read a second time and ordered to a third reading on Monday next.

An act relative to a State road in Franklin county, established by an act approved Feb. 1st, 1839.

An act to repeal an act to lay out and mark a State road from the Hermann and Port William road in Franklin county, to the St. Louis and Jefferson City State road, in St. Louis county, approved Feb. 16th, 1843.

An act to establish a State road in Morgan county.

The following House bills were read a first time, the rule suspended, and read a second time, and disposed of as follows:

An act to incorporate the inhabitants of the town of Fayette,

Referred to a select committee consisting of Messrs. Rawlins, Hudspeth and Fort.

An act to incorporate the liberty institute of Gasconade county,

Ordered to a third reading to-morrow.

The House bill entitled,

An act for the relief of Joseph Gibson,

Was read a first time and ordered to a second reading.

The following House bills were severally read a first time, the rule suspended, read a second time and committed to a committee of the whole.

An act concerning costs.

An act to provide for the publication and distribution of the laws and journals.

An act for the speedy recovery of debts, due on bonds and notes.

On motion of Mr. Massey,

Leave of absence was given to Mr. Jones for a few days.

The following House bills were severally read a first time, the rule suspended, read a second time, and referred to the committee on claims.

An act for the benefit of Joseph H. Reynolds and Harman T. Wilson.

An act for the relief of Hamilton Finney and George Arrowsmith.

An act for the benefit of Israel B. Grant, clerk of the Callaway county court.

An act for the relief of John Smarr.

The following House bills were severally read a first time, the rule suspended, read a second time and disposed of as follows:

An act for the benefit of William A. Whitehead,

Referred to the committee of ways and means.

An act concerning aliens,

Referred to the committee on the judiciary.

An act for the relief of Richard D. Austin and W. K. Van Arsdale of Monroe county,

Referred to the committee on militia.

The following House bills were severally read a first time, the rule suspended, and read a second and third times and passed.

An act for the benefit of A. B. Potts and Robert Reed.

An act to incorporate an academy in the town of St. Ferdinand in St. Louis county.

An act to incorporate the town of Savannah,

An act to establish a State road in Camden and other counties.

An act amendatory of an act to incorporate the city of Boonville, approved Feb. 8, 1839.

An act for the relief of William Lawson, sheriff of Ripley county.

An act to provide for choosing electors of President and Vice President of the United States.

The House bill entitled,

An act to incorporate the city of Lexington,

Was read a first time, the rules suspended, read a second and third time and passed by the following vote.

The ayes and noes being called for by Mr. Fort.

Yeas—Messrs. Acock, Boggs, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Powers, Reese, Snell, Welborn and Wolfskill—22.

Nays—Messrs. Fort, Polk and Snyder—3.

Absent, Messrs. Campbell, Shelton and Thompson.

With leave, Messrs. Anderson, Blythe and Jones.

Excused from voting, Mr. Rawlins.

The resolution from the House entitled,

Joint resolution on the subject of the naturalization laws.

Was read a first time, the rule suspended, and read a second time.

Mr. Lucas moved its indefinite postponement, which was pending when,

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Gentry,

Leave of absence was granted to Mr. Campbell for a few days.

On motion of Mr. Shelton,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 16.

Absent, Messrs. Acock, Detchemendy, Hudspeth, Johnson, Lucas, Massey, Miller, Mills, Netherton, Rawlins, Reese, Snell and Thompson.

With leave, Messrs. Blythe, Anderson, Campbell and Jones.

A quorum having appeared,

On motion, all further proceedings under the call were dispensed with.

Mr. Lucas, on leave, withdrew his motion to indefinitely postpone the resolution from the House entitled,

Joint resolution on the subject of the naturalization laws.

On motion of Mr. Massey,

The same was referred to the committee on Federal relations by the following vote:

Yeas—Messrs. Acock, Boggs, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins and Snell—17.

Nays—Messrs. Fort, Hancock, Hudspeth, Johnson, Reese, Shelton, Snyder, Welborn and Wolfskill—9.

Absent—Messrs. Detchemendy and Thompson.

With leave—Messrs. Anderson, Blythe, Campbell and Jones.

Mr. Reese from the joint committee appointed to cancel the bonds of the State, and who were further instructed by resolution to make a memorandum of said bonds, file a copy of the same with the Secretary of State and Auditor of public accounts, and cause said bonds, and coupons to be burnt, reported that the committee had performed the duty assigned them.

The report was received and read.

Mr. Boggs presented the papers in relation to the appointment and services of Joseph H. Reynolds, as agent of the State to Illinois, to receive Joseph Smith under a demand from the Executive of this State, in the year 1843, also the statement exhibiting his claim for indemnity and compensation.

Which were on motion, referred to the committee on claims.

Mr. Lucas on leave introduced a bill entitled,

An act to provide for the sale of bank stock, and to amend the charter of the bank of the State of Missouri.

Which was read a first time, the rule suspended, read a second time, committed to a committee of the whole, and ordered to be printed.

Mr. Ellis, from the committee on engrossed bills, reported as truly engrossed, bills entitled,

An act relative to common schools in Howard county.

An act to define the boundary line of Wayne and Reynolds counties.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to license and tax money brokers and exchange dealers.

An act concerning fraudulent conveyances.

The following bills were severally read a third time and passed.

An act relative to common schools in Howard county.

An act to define the boundary line of Wayne and Reynolds counties.

On motion of Mr. Rawlins,

The Senate resolved itself into committee of the whole, Mr. Hudspeth in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act to regulate fees, and

An act to provide for the recovery of debts by attachment.

Had agreed to the same without amendment, and instructed him to report them to the Senate for its further action.

On motion the report was laid on the table.

The President laid before the Senate a communication from the Auditor, in compliance with a resolution of the Senate, adopted this morning, requesting information relative to the compensation paid the commissioners appointed to revise and digest the laws.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 3, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act concerning mills and mill dams.

An act to incorporate the town of Palmyra, in Marion county.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

On motion, the Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, *March 4, 1845.*

The Senate met pursuant to adjournment.

Mr. Hancock from the committee on claims, to whom was referred,

The House bill entitled,

An act for the relief of Israel B. Grant clerk of Callaway county court,

Reported it to the Senate and recommended its passage without amendment.

The report was agreed to and the bill read a third time and passed.

Mr. Hancock also from the same committee to whom was referred the House bill entitled,

An act for the benefit of Joseph H. Reynolds and Harman T. Wilson, reported it to the Senate without amendment and recommended its passage.

The report was agreed to, and the bill was read a third time and passed.

Mr. Acock from the committee of ways and means to whom was referred,

The House bill entitled,

An act for the benefit of William A. Whitehead,

Reported it to the Senate without amendment, and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

Mr. Mills from the select committee to whom was referred the petition of sundry mechanics of St. Louis, reported a bill entitled,

An act to incorporate the Blacksmith's protective association of St. Louis.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, read a third time and passed.

Mr. Fort on leave introduced a resolution entitled,

Joint resolution in relation to the appointment of a committee to examine into the appropriations for building the capitol, and the expenditures for that purpose.

Which was read a first time and ordered to a second reading.

Mr. Polk on leave of the Senate withdrew the bill entitled,

An act to collect revenue on merchandise.

On motion of Mr. Acock, leave of absence was granted to Mr. Rawlins for the present week.

Message from the House of Representatives by Mr. Huston, assistant clerk:

MR. PRESIDENT:

The following bills have passed the House of Representatives:

An act declaring certain county roads a State road, and for reviewing and marking out the same.

An act to change a portion of a State road leading from St. Louis to Springfield in Greene county.

An act concerning costs in criminal cases.

An act to incorporate the inhabitants of Georgetown.

The following revised bills have passed the House of Representatives:

An act to regulate the practice in courts of chancery.

An regulating conveyances.

An act concerning dower.

An act concerning patrols.

An act concerning mortgages.

An act for securing liens to mechanics and others.

The following revised bills from the Senate have passed the House of Representatives:

An act to establish and regulate the penitentiary.

An act regulating the action of replevin.

An act respecting wills.

An act to provide for the removal of seats of justice.

An act for the regulation and management of the State library.

An act concerning bills of exchange and negotiable promissory notes.

An act to provide for reporting the decisions of the Supreme court.

An act to provide for the election of Justices of the peace and to prescribe their powers and duties.

An act to recover public records.

An act concerning the action of detinue.

The House of Representatives has amended and passed as amended the revised bills from the Senate entitled,

An act regulating injunctions.

An act providing for the change of venue in civil cases.

The House of Representatives has agreed to the report of the committee of conference on the bill entitled,

An act to pay Solomon L. Leonard for selecting lands.

The House of Representatives has adopted the following resolutions:

1. *Resolved*, That the Senate be requested to return to the House of Representatives, the bill entitled,

An act concerning aliens.

2. *Resolved*, by the House of Representatives the Senate, concurring therein:

That the Auditor of public accounts, and the Treasurer be and they are hereby authorised to close their offices for such time as they may be necessarily engaged in settling with the lessees of the penitentiary, as provided by certain resolutions which have passed the present legislature, and that they proceed to settle with said lessees as early as practicable and make report to the legislature showing the amount due the State from said lessees; and also what improvements the said lessees have made for which the State is liable, the nature and quality of such improvements, and the price charged for each of such improvements.

The House of Representatives has concurred in the resolution of the Senate requesting the joint action of the judiciary committees of the two Houses on the "Lisle claim."

The Speaker has signed the enrolled bills entitled,

An act supplementary to an act to authorise Woods, Estill and Hughes to erect a dam across Platte river.

An act to authorise Johnson and Swain to erect a dam across Platte river.

An act relative to common schools in Perry county.

An act regulating set-off.

An act concerning evidence.

An act for the incorporation of towns, and to prevent the circulation of town and city scrip.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

On motion of Mr. Mills,

The report of the committee of the whole, made on yesterday, was taken up.

Mr. Mills moved to amend the report as follows:

In the 7th section of the Senate bill entitled,

An act to regulate fees,

Strike out the third line of said section from the word "except," to the word "section," inclusive, and strike out the 8th section.

Which was read and adopted, and

The report as amended was agreed to.

On motion of Mr. Fort, the bill entitled,

An act to regulate fees,

Was referred to a select committee, consisting of Messrs. Fort, Gentry and Hudspeth.

The following House bills were severally read a third time and passed:

An act to provide for the recovery of debts by attachment.

An act to incorporate the liberty institute of Gasconade county.

The House bill entitled,

An act for the relief of Joseph Gibson,

Was, on motion, laid on the table.

The House bill entitled,

An act concerning township plats,

Was on motion, referred to a select committee consisting of Messrs. Massey, Snyder and Acock.

On motion of Mr. Welborn,

The resolution from the House in relation to the settlement of the inspectors of the penitentiary with the lessees,

Was taken up and concurred in.

The following House bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act concerning conveyances.

Ordered to a third reading.

An act concerning costs in criminal cases,

Referred to the committee of ways and means.

The following House bills were severally read a first time, the rule suspended, read a second and third time and passed.

An act to regulate the practice in courts of Chancery.

An act concerning mortgages.

An act concerning patrols.

An act concerning dower.

An act for securing liens to mechanics and others.

An act declaring certain county roads a State road and for viewing and marking out the same.

An act to incorporate the inhabitants of Georgetown.

The House bill entitled,

An act to change a portion of a State road leading from St. Louis to Springfield in Greene county,

Was read a first time and laid on the table.

The amendments of the House of Representatives to the bills entitled,

An act regulating injunctions.

An act providing for the change of venue in civil cases,

Were taken up and concurred in.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 4, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day, approved and signed:
bills of the following titles:

An act to license and tax money brokers and exchange dealers.
An act concerning fraudulent conveyances.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

Mr. Boggs from the committee on agriculture, to whom was referred,
The House bill entitled,
An act to regulate weights and measures,
Reported it to the Senate without amendment and recommended its passage.
The report was agreed to, and the bill was read a third time and passed.
On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.
On motion of Mr. Acock,
The committee of the whole was discharged from the further consideration of the House bill entitled,
An act to provide for the publication and distribution of the laws and journals,
And the same was referred to a select committee consisting of Messrs. Acock, Harper, O'Bryan, Welborn and Netherton.
On motion of Mr. Polk,
The House bill entitled,
An act to authorise the county court of Camden county to borrow the road and canal fund,
Was taken up, read a second time, the rule suspended, and read a third time and passed.
On motion of Mr. Shelton,
The Senate resolved itself into committee of the whole,
Mr. O'Bryan in the Chair—
And after some time spent therein, the committee rose and reported through their chairman,
That they had had under consideration bills entitled,
An act for the speedy recovery of debts due on bonds and notes,
Had agreed to the same without amendment, and instructed him to report it to the Senate for further action thereon, also,
An act concerning costs.
And had instructed him to report it to the Senate without amendment, and recommend its reference to a select committee, also,
An act regulating interest on money.
Had amended the same, and instructed him to report it to the Senate and recommend its passage.
The report was agreed to, and
On motion, the Senate adjourned until to-morrow morning, at 9 o'clock.

WEDNESDAY MORNING, *March, 5, 1845.*

The Senate met pursuant to adjournment.

Mr. Hancock, from the committee on claims, to whom was referred the petition of William M. Kerr, reported a bill entitled,

An act further to define the duties of commissioner of the permanent seat of government.

Which was read a first time, the rule suspended read a second time, ordered to be engrossed and read a third time to-morrow.

Mr Reese from the committee on the judiciary, to whom was referred the bill entitled,

An act supplementary to an act concerning marriage contracts, approved January 22, 1835,

Reported it back to the Senate with the recommendation that it be rejected,

The report was read and agreed to, and the bill rejected.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act to incorporate the Palmyra manufacturing company.

Mr. Wolfskill, from the select committee, to whom was referred the petition of sundry citizens of Linn county on the subject of a State road, reported a bill entitled,

An act to establish a State road in Linn and other counties.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third reading on Monday next.

On motion of Mr. Snell,

Resolved, that the auditor of public accounts inform the Senate whether the former commissioners of the permanent seat of government have made a full and complete settlement, and adjusted their accounts with the State.

The resolution entitled,

Joint resolution in relation to the appointment of a committee to examine into the appropriations for building the capitol and the expenditures for that purpose.

Was read a second time.

Mr. Mills moved to amend the resolution by adding the following:

“Provided, That the pay to the committee hereby raised shall not exceed forty five dollars, as a full compensation for their services.

Which was read and agreed to, and the resolution as amended was ordered to be engrossed and read a third time to-morrow

The bill entitled,

An act to incorporate the Palmyra manufacturing company,

Was read a third time and passed.

The following House bills were severally read a third time and passed.

An act for the speedy recovery of debts due on bonds and notes.

An act concerning costs.

An act regulating conveyances.

The bill entitled,

An act to regulate the interest of money,

Being under consideration,

Mr. Fort moved to amend as follows:

Strike out the 2d section of the bill.

Which was read, and the question on its adoption was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Detchemendy, Fort, Hudspeth, Massey, Shelton and Wolfskill—7.

Nays—Messrs. Acock, Campbell, Calhoun, Gentry, Hancock, Harper, Har-

ris, Johnson, Lucas, Mills, Netherton, O'Bryan, Polk, Powers, Reese, Snell, Snyder and Welborn—18.

Absent, Messrs. Ellis, Miller and Thompson.

With leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Mr. Fort moved to amend the bill as follows:

Strike out "10," and insert "8," in the 2nd section of the bill.

Which was read.

On motion of Mr. Acock, a division of the question was ordered.

The question was then taken on striking out "10," and was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Fort, Harris, Hudspeth, Massey, Netherton, Shelton, Snell, Snyder and Wolfskill—10.

Nays—Messrs. Acock, Campbell, Calhoun, Detchemendy, Gentry, Hancock, Johnson, Lucas, Mills, O'Bryan, Polk, Powers, Reese and Welborn—14.

Absent, Messrs. Ellis, Harper, Miller and Thompson.

With leave, Messrs. Anderson, Blythe, Jones and Rawlins.

So the amendment was rejected.

Mr. Fort moved to amend as follows:

Strike out all after the word "manner" in the 6th section, and insert the following:

And if upon the whole evidence, the court or jury who shall try such action, or suit, shall find such contract to be usurious, they shall nevertheless find for the plaintiff the principal sum of money, or the real value of the commodity as aforesaid, and the defendant shall recover his costs.

Which was read.

Mr. Acock moved its rejection, which was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Calhoun, Gentry, Hancock, Harper, Hudspeth, Johnson, Lucas, O'Bryan, Polk, Snell and Welborn—12.

Nays—Messrs. Boggs, Campbell, Detchemendy, Fort, Harris, Massey, Mills, Netherton, Powers, Shelton, Snyder, Thompson and Wolfskill—13.

Absent, Messrs. Ellis, Miller and Reese.

With leave, Messrs. Anderson, Blythe, Jones and Rawlins.

So the amendment was adopted.

Mr. Acock moved to amend as follows:

Strike out the 6th section of the bill.

Which was read.

Mr. Campbell moved to amend the amendment by including the 7th section.

Which was accepted by Mr. Acock, when

The question on the adoption of the amendments was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Calhoun, Detchemendy, Gentry, Harper, Hudspeth, Netherton, Polk, Shelton and Thompson—11.

Nays—Messrs. Boggs, Fort, Hancock, Harris, Johnson, Lucas, Massey, Mills, O'Bryan, Powers, Snell, Snyder, Welborn and Wolfskill—14.

Absent, Messrs. Ellis, Miller and Reese.

Absent with leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Mr. Fort moved, that the bill as amended be ordered to be engrossed and read a third time to-morrow.

Mr. Acock moved to amend the motion by ordering the bill to a third reading on Monday next.

Which was negatived, and

The motion of Mr. Fort was sustained.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. President:—

The following revised bills have passed the House of Representatives: —

An act regulating marriages.

An act to regulate proceedings in criminal cases.

The House of Representatives has amended, and passed as amended the Senate bill entitled,

An act concerning crimes and their punishments.

The Speaker has signed the enrolled bill entitled,

An act to extend a State road in Pike county.

Whereupon the President of the Senate signed the said enrolled bill.

On motion of Mr. Boggs, the House bill entitled,

An act for the relief of Joseph Gibson,

Was taken up and read a third time and passed.

The several amendments of the House to the Senate bill entitled,

An act concerning crimes and their punishments,

Were severally taken up and concurred in.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Fort, also, from the select committee, to whom was referred the House bill entitled,

An act to incorporate the inhabitants of the town of Fayette,

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendment were read and agreed to, and the bill as amended was read a third time and passed.

The House bill entitled,

An act regulating proceedings in criminal cases.

Was read a first time, the rules suspended, read a second and third times and passed.

The House bill entitled,

An act regulating marriages,

Was read a first time, the rule suspended, read a second time and

On motion of Mr. Fort,

Referred to the committee of ways and means.

On motion, the House bill entitled,

An act respecting executors and administrators,

Were taken up and read a third time.

Mr. Gentry moved to amend by way of rider as follows:

In the 30th section of 2nd article, in the 2nd and 3rd lines, strike out "one hundred and fifty," and insert "two hundred."

Which was read a first time, and objections being made by Mr. Massey, the question on its rejection was determined in the negative by the following vote:

Yeas—Messrs. Acock, Calhoun, Fort, Hancock, Johnson, Massey, Snell and Snyder—8.

Nays—Messrs. Campbell, Gentry, Harper, Harris, Lucas, Mills, O'Bryan, Polk, Powers, Reese, Shelton, Thompson, Welborn and Wolfskill—14.

Absent—Messrs. Boggs, Detchemendy, Ellis, Hudspeth and Netherton.

Absent, with leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Mr. Gentry moved that the rule be suspended, and the ryder read a second time now; which was negatived; and on motion,

The bill was laid on the table until to-morrow.

Mr. Lucas, on leave, introduced a bill entitled,

An act providing for the appointment of commissioners to take depositions, &c., in other States.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

Mr. Mills submitted the following:

Resolved by the Senate, the House of Representatives concurring therein:

That the two Houses of the General Assembly adjourn *sine die* on the 20th of this month, (March.)

On motion of Mr. Hancock,

The resolution was amended by striking out "20," and inserting "17," when; The resolution as amended was adopted.

On motion of Mr. Acock, the bill entitled,

An act to amend an act entitled, an act to regulate marriages, approved Feb. 25, 1835, was taken up and together with the report of the committee on the judiciary on said bill, referred to the committee of ways and means.

Mr. Massey from the select committee to whom was referred the House bill entitled.

An act concerning township plats.

Reported it to the Senate with the recommendation that it be rejected.

The report was read and agreed to, and the bill rejected.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *March 6*, 1845.

The Senate met pursuant to adjournment.

The President laid before the Senate a communication from the Auditor in answer to a resolution of enquiry of the Senate adopted on yesterday, relative to the settlement of the former commissioner of the permanent seat of government.

Which was read, and

Referred to the committee on the judiciary.

Mr. Snyder, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act regulating the action of replevin.

An act to pay Solomon L. Leonard for selecting lands.

An act concerning the action of detinue.

An act respecting wills.

An act to regulate the office of Secretary of State.

An act to recover public records.

An act for the regulation and management of the State library.

An act to define the jurisdiction and regulate proceedings of justices court in cases of breach of the peace.

Mr. Hancock, from the committee on claims, to whom was referred the House bill entitled,

An act for the relief of John Smarr.

Reported it without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

Mr. Acock, from the select committee to whom was referred the House bill entitled,

An act to provide for the publication and distribution of the laws and journals,

Reported it to the Senate with several amendments.

The report and amendments were read and agreed to,

And the bill as amended was read a third time.

Mr. Boggs moved to amend by way of ryder as follows:

"Strike out so much of the 10th section of the act as provides that each member of the General Assembly shall be entitled to a copy of the revised statutes."

Which was read, and objections being made

The question on the rejection of the ryder was determined in the affirmative by the following vote:

Yeas—Messrs. Campbell, Detchemendy, Gentry, Hancock, Harper, Hudspeth, Johnson, Lucas, Mills, O'Bryan, Polk, Powers, Snell, Snyder, Thompson and Wolfskill—16.

Nays—Messrs. Acock, Boggs, Calhoun, Fort, Harris, Massey, Shelton and Welborn—8.

Absent, Messrs. Miller and Reese.

With leave, Messrs. Anderson, Blythe, Jones, and Rawlins.

Sick—Mr. Netherton.

Mr. Massey moved to amend by way of ryder as follows:

In the 24th section strike out the words "in the penalty of one thousand dollars" and insert "in such penalty and"

Which was read and objections being made, the question on the rejection of the ryder, was determined in the negative;

When the rule was suspended, the ryder read a second time, considered as engrossed, and read a third time.

Mr. Mills moved to amend by way of ryder, by adding at the end of the 24th section of the bill the following:

The Secretary of State shall in all contracts, made for printing, take a bond in a penalty of double the amount of the contract, for the faithful performance of the same.

Which was read, and

On motion of Mr. Massey, indefinitely postponed.

Mr. Calhoun moved to amend by way of ryder as follows:

Insert in the 10th section of the bill, in the 8th line after the word "coroner," the words "and each public administrator."

Which was read and objections being made,

Was rejected.

Mr. Massey moved to amend by way of ryder as follows:

In the 24th section of the bill, strike out all after the word "after" in the last line of said section, and insert "the delivery of the copy of the original rolls; and the index herein required to be made shall be printed in thirty days after the delivery of the same.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

The question recurred on the passage of the bill and was determined in the affirmative.

Mr. Campbell from the committee on engrossed bills reported as truly engrossed, bills entitled,

An act to establish a State road in Linn and other counties.

An act further to define the duties of the commissioner of the permanent seat of government.

Joint resolution in relation to the appointment of a committee to examine into the appropriations for building the capitol and the expenditures for that purpose.

An act regulating the interest of money.

Message from the House of Representatives, by Mr. Gilpin their clerk.

MR. PRESIDENT:

The House of Representatives has amended and passed as amended the Senate bill entitled,

An act amendatory of an act entitled an act to provide for the selection and sale of the lands, granted to this State by act of Congress approved Sept. 4, 1841, approved Feb. 27th, 1843.

The House of Representatives has agreed to the report of the committee of conference on the Senate bill entitled,

An act to pay the adjutant general for extra services imposed by the last General Assembly.

The bill entitled,

An act further to define the duties of the commissioner of the permanent seat of government,

Was read a third time and passed.

The resolution entitled,

Joint resolution in relation to the appointment of a committee to examine into the appropriations for building the capitol and the expenditures for that purpose.

Was on motion laid on the table.

The bill entitled,

An act regulating the interest of money.

Was read a third time.

Mr. Acock moved to amend by way of rider as follows:

Strike out the 5th section, and insert in lieu thereof the following:

Sec. 5. That if any action or suit shall hereafter be commenced upon any bond, note, mortgage, specialty, agreement, contract, promise or assurance whatever, which shall be made within this State, the defendant may, under the general issue, or if it be an action on a specialty, then under the plea of *non est factum*, show that a higher or greater rate of interest than ten per cent. per annum, was therein or thereby agreed for, or secured or taken, and if the plea of the defendant to any such suit shall be sustained by the verdict of a jury, or the finding of the court, the court shall render judgment on such verdict or finding for the real sum of money, or price of the commodity, actually lent, advanced or sold, and interest on the same at the rate of ten per cent. per annum, upon which judgment, the court shall cause an order to be made setting apart the whole interest for the use of the county in which such suit may be brought, for the use of common schools, and the same when collected, shall be paid over ac-

cordingly, and go to and form a part of the common school fund of said county, and the defendant may recover his costs.

Which was read a first time.

Mr. Fort moved its rejection.

On motion of Mr. Fort,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 24.

Absent, Messrs. Ellis, Hudspeth and Miller.

With leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Sick—Mr. Netherton.

The sergeant at arms was despatched to notify Mr. Hudspeth, when,

On motion, all further proceedings under the call were dispensed with.

The question was then taken on the rejection of the ryder, and was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Campbell, Detchemendy, Fort, Hudspeth, Massey, Mills, Polk, Shelton, Snyder, Thompson and Wolfskill—12.

Nays—Messrs. Acock, Calhoun, Gentry, Hancock, Harper, Harris, Johnson, Lucas, O'Bryan, Powers, Reese, Snell and Welborn—13.

Absent—Messrs. Ellis and Miller.

Absent with leave—Messrs. Anderson, Blythe, Jones and Rawlins.

Sick—Mr. Netherton.

Mr. Acock moved to suspend the rules and that the ryder be read a second time now.

Which was negatived, when

On motion of Mr. Acock, the bill and ryder were laid on the table till Monday next.

The bill entitled,

An act to establish a criminal court in the county of St. Louis,

Was read a third time and passed.

The House bill entitled,

An act respecting executors and administrators,

Was taken up and read a third time.

The ryder offered by Mr. Gentry on yesterday was read a second time, the rule suspended, considered as engrossed and read a third time.

Mr. Hudspeth moved to amend by way of ryder as follows:

Strike out the 49th, 50th, 51st, 52nd, 53d, 54th, 55th and 56th sections of the first article of the bill.

Which was read, and

On motion of Mr. Campbell, rejected by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Fort, Gentry, Hancock, Harper, Harris, Johnson, Lucas, Massey, Mills, O'Bryan, Powers, Shelton, Snell, Snyder, Thompson and Wolfskill—19.

Nays—Messrs. Detchemendy, Ellis, Hudspeth and Polk—4.

Absent, Messrs. Acock, Miller, Reese and Welborn.

Absent with leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Sick, Mr. Netherton.

The question then recurred on the passage of the bill, and was determined in the affirmative.

The amendments of the House to the bill entitled,
An act amendatory to an act to provide for the selection and sale of the lands granted to this State by act of Congress, approved Sept. 4th, 1841, approved Feb. 27, 1843,

Were severally taken up and concurred in.

The report of the committee of conference on the bill entitled,

An act to pay the adjutant general for extra services imposed by the last General Assembly.

Was taken up and agreed to.

On motion of Mr. Fort,

The resolution from the House requesting the return of the bill entitled,

An act respecting aliens,

Was laid on the table.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

And on motion, adjourned, until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *March 7, 1845.*

The Senate met pursuant to adjournment.

On motion of Mr. Detchemendy,

A call of the House was ordered.

The number of Senators answering to their names was 16.

Absent, Messrs. Calhoun, Fort, Hancock, Harris, Lucas, Mills, Powers, Reese, Shelton and Thompson.

With leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Sick, Messrs. Johnson and Netherton.

The sergeant at arms was despatched to notify the absentees, when

A quorum having appeared,

All further proceedings under the call were dispensed with.

Mr. Welborn presented the petition of sundry citizens of St. Louis county, praying for the separation of the office of recorder from that of county clerk of said county.

Which was read and referred to the select committee to whom was referred a memorial on the same subject.

Mr. Fort, from the committee on the penitentiary, to whom was recommitted the bill entitled,

An act amendatory of an act to authorise improvements in the penitentiary approved Feb. 28th, 1843, and of an act concerning the government and discipline of the penitentiary, approved Feb. 20th, 1843,

With instructions to report the amount of work necessary to be done in and about the penitentiary, together with the probable cost of the same, reported it to the Senate, and recommended the amount of improvements specified in said bill to be completed, and that the sum of thirty-three thousand dollars be appropriated, with a provision that the entire work or improvement shall be completed for the sum appropriated.

The report was read and disagreed to, when

On motion of Mr. Mills,

The vote on disagreeing to the report was reconsidered.

The question was then taken on agreeing to the report, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Ellis, Harper, Hudspeth, Johnson, Lucas, Massey, Miller, Mills, O'Bryan, Powers, Thompson, Welborn and Wolfskill—15.

Nays—Messrs. Campbell, Calhoun, Fort, Gentry, Hancock, Harris, Polk, Reese, Shelton, Snell and Snyder—11.

Absent—Mr. Detchemendy.

With leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Sick, Mr. Netherton.

The question then recurred on the passage of the bill as amended and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Detchemendy, Ellis, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, Miller, Mills, O'Bryan, Powers, Thompson and Welborn—17.

Nays—Messrs. Campbell, Calhoun, Fort, Gentry, Hancock, Polk, Reese, Shelton, Snell and Snyder—10.

Absent with leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Sick, Mr. Netherton.

Mr. Acock, from the committee on enrolled bills, reported as truly enrolled a bill entitled,

An act to pay the adjutant general for extra services imposed by the last General Assembly.

Mr. Welborn on leave introduced a bill entitled,

An act supplementary to an act entitled an act to lay off the State into congressional districts, approved Feb 21, 1845.

Which was read a first time, the rule suspended, read a second, time ordered to be engrossed and read a third time on Monday next.

On motion of Mr. Miller, Messrs. Wolfskill and Mills were added to the committee to whom was referred the petition of Messrs. Gordon and Burch.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. PRESIDENT:—

The following bills have been introduced in the House of Representatives:

An act for the relief of Hampton L. Boon, clerk of the supreme court.

An act concerning the northern boundary line of Missouri.

The following bills have passed the House of Representatives.

An act to attach certain territory to Sullivan county for certain civil and military purposes.

An act to legalize the sale of certain school lands in Grundy county.

An act to incorporate the apprentices library association of St. Louis.

An act to establish a State road from Tully, in Lewis county, to Memphis in Scotland county.

An act for the relief of Mehitable Gardner, alias Schooler.

An act to revive and amend an act concerning a State road in Clark county.

An act to enable the State University to borrow money.

An act legalizing the proceedings of the commandant of the 88th regiment of the Missouri militia.

An act relative to the road and canal fund of Perry and Ste. Genevieve counties.

An act to establish a State road from Harrisonville to Osceola.

An act supplemental to an act to provide for the organization of certain counties.

An act to incorporate the Union Literary Society of the Missouri University.

An act supplemental to the several acts organizing new counties passed by the present General Assembly.

Joint resolution in favor of Michael Nye.

The House of Representatives has passed the Senate bill entitled,

An act to appropriate money.

The Speaker has signed the enrolled bills entitled,

An act to regulate the office of Secretary of State.

An act respecting wills.

An act concerning the action of detinue.

An act to pay Solomon L. Leonard for selecting lands.

An act regulating the action of replevin.

An act to recover public records.

An act for the regulation and management of the State library.

An act to define the jurisdiction and regulate the proceedings of justices of the peace in cases of breach of the peace.

An act to pay the adjutant general for extra services imposed by the last General Assembly.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Acock from the committee on internal improvements made the following report:

The committee on internal improvements, to whom was referred the following bills to wit: an act to provide for the improvement of a State road, no. 71; also, an act to provide for opening a State road, no. 89; also, an act to appropriate money for the improvement of State roads, no. 167; also, the following resolution: one introduced by Mr. Fort in relation to the grant of land by Congress, to this State; one by Mr. Acock on the same subject, and the substitute and amendments thereto; also, the address of the Warsaw convention in relation to the improvement of the Osage river; also a petition of the citizens of St. Charles county, asking an appropriation for the improvement of the river Aux Cuivre, would respectfully ask to be discharged from the further consideration of the same; for the reason that it is evident that a majority of the Senate, will not agree to make any appropriations of the grant of lands by Congress to this State for purposes of internal improvement, during this session of the Legislature; and as the bill to grant pre-emption rights to settlers on those lands has passed both branches of the Legislature, allowing them until the fall of 1847, to pay for their pre-emption claims, it is most probable that but little money will be realized from the sale of said lands, until after the next session of the Legislature, therefore the first and most prominent objects of improvement as was intended by said grant, cannot be made until a larger fund is realized, than has been or is likely to be for the next two or three years.

The committee also instructed him to report a resolution.

The report was read and agreed to.

Mr. Acock also offered the following resolution:

Resolved, That the grant of 500,000 acres of land by Congress to this State, for purposes of internal improvement, should be faithfully applied to objects of internal improvement, as was intended by said grant, and in pursuance of the 7th article of the constitution of this State, and that the same should not be divided among the counties of the State.

Mr. Polk moved to lay it on the table.

Which was negatived by the following vote:

Yeas—Messrs. Detchemendy, Hancock, Harper, O'Bryan, Polk, Reese, Shelton, Snell, Snyder Thompson and Welborn—11.

Nays—Messrs. Acock, Boggs, Calhoun, Fort, Gentry, Harris, Hudspeth, Lucas, Massey, Miller, Mills, Powers and Wolfskill—13.

Absent, Messrs. Campbell, Ellis and Johnson.

Absent with leave, Messrs. Anderson, Blythe, Jones, and Rawlins.

Sick, Mr. Netherton.

Mr. Shelton moved to refer the resolution to the next General Assembly.
Which was negatived.

Mr. Fort moved to amend as follows:

Strike out the words "and the same should not be divided among the counties of this State," from the 4th line to the end of the resolution.

Which was read.

Mr. Acock moved the rejection of the amendment.

Which motion the President decided to be out of order because it amounted to the same question then before the Senate, to wit: agreeing to the amendment.

Mr. Acock appealed from the decision of the chair.

The question was then put: "Shall the decision of the Chair stand as the judgment of the Senate?"

And was determined in the affirmative.

The question was then taken on agreeing to the amendment, and was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Calhoun, Detchemendy, Fort, Hancock, Harper, Harris, Hudspeth, Massey, O'Bryan, Polk, Reese, Shelton, Snell, Snyder, Thompson and Welborn—17.

Nays.—Messrs. Acock, Campbell, Ellis, Gentry, Lucas, Miller, Mills, Powers, and Wolfskill—9.

Absent with leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Sick—Messrs. Johnson and Netherton.

Mr. Polk moved to adjourn,

Which was negatived.

Mr. Polk then moved the indefinite postponement of the resolution which was determined in the negative by the following vote:

Yeas—Messrs. O'Bryan, Polk, Shelton, and Thompson—4.

Nays—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Lucas, Massey, Miller, Mills, Powers, Reese, Snell, Snyder, Welborn and Wolfskill—22.

Absent with leave, Messrs. Anderson, Blythe, Jones and Rawlins.

Sick, Messrs. Johnson and Netherton.

The question then recurred on the adoption of the resolution as amended, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Campbell, Gentry, Ellis, Fort, Hancock, Harper, Harris, Lucas, Massey, Miller, Mills, O'Bryan, Powers, Snell, Snyder and Wolfskill—18.

Nays—Messrs. Calhoun, Detchemendy, Hudspeth, Polk, Reese, Shelton, Thompson and Welborn—8.

Absent, with leave, Messrs. Anderson, Blythe, Jones and Rawlins.
Sick, Messrs. Johnson and Netherton.

Mr. Snyder, from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act to provide for the removal of seats of justice.

An act to establish and regulate the penitentiary.

An act to provide for reporting the decisions of the Supreme court.

An act providing for the change of venue in civil cases.

An act concerning bills of exchange and negotiable promissory notes.

An act to appropriate money.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Welborn on leave introduced a bill entitled,

An act regulating injunctions in certain cases.

Which was read a first time, the rule suspended read a second time, and referred to the committee on the judiciary.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act supplementary to an act entitled an act to lay off the State, into Congressional districts, approved Feb. 21, 1845.

Message from the House of Representatives by Mr. Gilpin, their clerk:

Mr. President:—

The following bills have passed the House of Representatives:

An act for the benefit of Gasconade county.

An act to establish a probate court in Ste. Genevieve county.

The Speaker has signed the enrolled bills entitled,

An act to incorporate the city of Lexington.

An act amendatory of an act to incorporate the city of Boonville, approved Feb. 8, 1839.

An act to appropriate money.

An act concerning bills of exchange and negotiable promissory notes.

An act providing for the change of venue in civil cases.

An act to provide for reporting the decisions of the Supreme court.

An act to establish and regulate the penitentiary.

An act to provide for the removal of the seats of justice.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

The following House bills were severally read a first time, the rule suspended, read a second and third time and passed.

An act for the relief of Mahitable Gardner, alias Schooler.

An act to attach certain territory to Sullivan county for civil and military purposes.

An act to legalize the sale of certain school lands in Grundy county.

An act to incorporate the apprentices library association of St. Louis.

An act to establish a State road from Tully, in Lewis county to Memphis, in Scotland county.

An act to revive and amend an act concerning a State road in Clark county.

An act supplemental to an act to provide for the organization of certain counties.

An act relative to the road and canal fund of Perry and Ste. Genevieve counties.

An act legalizing the proceedings of the commandant of the 88th regiment Missouri militia.

An act to incorporate the Union Literary Society of the Missouri University.

An act supplementary to the several acts organizing new counties, passed by the present General Assembly.

Joint resolution in favor of Michael Nye.

The following House bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act to establish a State road from Harrisonville to Osceola.

Ordered to a third reading to-morrow.

An act to enable the State University to borrow money,

Referred to the committee on education.

Mr. Snyder, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to pay the adjutant general for extra services imposed by the last General Assembly.

An act to define the jurisdiction and regulate the proceedings of justices courts in cases of breach of the peace.

An act for the regulation and management of the State library.

An act to recover public records.

An act regulating the action of replevin.

An act to pay Solomon L. Leonard for selecting lands.

An act concerning the action of detinue.

An act respecting wills.

An act to regulate the office of Secretary of State.

An act to appropriate money.

An act to provide for reporting the decisions of the Supreme court.

An act to provide for the removal of seats of justice.

An act to establish and regulate the penitentiary.

An act concerning bills of exchange and negotiable promissory notes.

An act providing for the change of venue in civil cases.

Mr. Mills on leave introduced a bill entitled,

An act concerning the school lands in St. Louis county:

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and the bill read a third time and passed.

Mr. Fort, from the select committee, to whom was referred a communication from the Secretary of State, on the subject of the printing the laws and journals of the session of the General Assembly, for 1842 and 1843, reported it back to the Senate, and asked to be discharged from the further consideration of the subject.

The report was read and agreed to.

On motion of Mr. Lucas,

The Senate resolved itself into committee of the whole, Mr. Fort in the chair.

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration,

Joint resolutions proposing amendments to the constitution of the State of Missouri in relation to judicial tenures,

Together with the substitutes therefor,
 And had instructed him to report the same to the Senate, and recommend
 that it be laid on the table; also,
 A bill entitled,
 An act to provide for the sale of bank stock, and to amend the charter of the
 bank of the State of Missouri,
 Had made some progress therein, but without coming to any definite conclu-
 sion, had instructed him to report progress, and ask leave to sit again.
 On motion, the Senate adjourned until to-morrow morning, at 9 o'clock.

SATURDAY MORNING, *March 8, 1845.*

The Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Gilpin, their clerk.

Mr. President:

The House of Representatives has passed the Senate bill en-
 titled,

An act for the relief of W. W. Compton.

The House of Representatives has adopted the following resolution:

Resolved, by the House of Representatives the Senate, concurring therein:

That the two Houses will on Monday, the 10th inst., at 2 o'clock, P. M.
 proceed to the election of a president and directors of the branch bank at Lex-
 ington, in Lafayette county.

The President laid before the Senate the following communication from the
 Governor:

EXECUTIVE DEPARTMENT,
 CITY OF JEFFERSON,
March 7, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed
 a bill of the following title:

An act to appropriate money.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

Mr. Acock, from the committee of ways and means, to whom was referred
 the following bills from the House of Representatives, to wit:

An act for the relief of Marvin Munger.

An act for the relief of the collector of Wayne county.

An act for the relief of John Hammond, collector of Jefferson county.

An act for the relief of Preston Mullineux.

Asked to be discharged from the further consideration of said bills, and rec-
 ommended that they be laid upon the table.

The report was read and agreed to, and the said bills were laid on the table
 accordingly.

Mr. Snyder, from the committee on enrolled bills, reported that the commit-
 tee had examined and found truly enrolled bills of the following titles:

An act for the relief of Horsley Rea, John Slack and others, and

An act concerning the school lands in St. Louis county.

On motion of Mr. Mills, the report of the committee of the whole made on yesterday was taken up and agreed to.

The House bill entitled,

An act to establish a State road from Harrisonville to Osceola,

Was read a third time and passed.

The House bill entitled,

An act to change a portion of a State road leading from St. Louis to Springfield in Greene county,

Was taken up, on motion of Mr. Hudspeth, and read a second time.

Mr. Hudspeth moved to amend as follows:

Between the word "shall" and the "cause" in the third line insert, ("if it be made appear to the satisfaction of said county court, such proposed change will be of more public utility than the proposed route.")

Which was read and agreed to, when

On motion the rules were suspended, and the bill as amended was read a third time and passed.

On motion of Mr. Miller,

The House bill entitled,

An act for the benefit of Gasconade county,

Was laid on the table.

The House bill entitled,

An act to establish a probate court in Ste. Genevieve county,

Was read a first time, the rule suspended, read a second time, and ordered to a third reading on Monday next.

The resolution from the House in relation to the election of the president and directors of the bank at Lexington on Monday next, was taken up and on motion, concurred in.

Mr. Calhoun, on leave of the Senate, introduced a bill entitled,

An act supplementary to the act incorporating the city of Lexington.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended and read a third time and passed.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 8, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act to recover public records.

An act to pay Solomon L. Leonard for selecting lands.

An act for the regulation and management of the State library.

An act to provide for reporting the decisions of the supreme court.

An act to provide for the removal of seats of justice.

An act to establish and regulate the penitentiary.

An act to pay the adjutant general for extra services imposed by the last General Assembly.

An act to regulate the office of Secretary of State.

An act providing for the change of venue in civil cases.

An act concerning bills of exchange and negotiable promissory notes.

An act regulating the action of replevin.

An act concerning the action of detinue.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

Message from the House of Representatives by Mr. Gilpin their clerk :

MR. PRESIDENT:

The following bills have passed the House of Representatives.

An act for the relief of Delila Cartmill.

An act for the benefit of Jacob Cutler.

An act for the relief of Mason G. Pemberton, late sheriff of Pettis county.

An act for the relief of Elihu H. Sheperd.

An act for the relief of Peter M'Clain.

An act for the relief of Josiah Dejarnette.

An act for the relief of Robert E. Baker, sheriff of Callaway county.

An act for the relief of W. Z. Angney and others.

An act to refund certain money to the county of Van Buren.

An act for the relief of Jacob Britenstein.

An act for the relief of John M. Johnson.

An act for the relief of A. B. Tinsley.

An act for the relief of Robert M'Cutcheon and others.

An act for the relief of A. W. Jeffries and Lewis C. Frazier.

An act for the relief of persons erroneously charged with tax.

An act to amend an act to establish a corporation in the city of St. Louis, for the purpose of education, approved Feb. 13th, 1833.

An act to attach a portion of Polk county to St. Clair county.

An act to authorise the county court of Taney county to borrow the road and canal fund of said county.

An act to improve the breed of sheep.

An act for the relief of Preston P. Brickey, late sheriff of Washington county.

An act to establish a state road from St. Josephs to Plattsburg.

An act to repeal all acts allowing to persons the privilege of peddling without license.

The House of Representatives has passed the revised bill entitled,

An act concerning free negroes and mulattoes.

The House of Representatives has passed the Senate bills entitled,

An act for the relief of Rea, Slack and others.

An act for the relief of Harvey McClure.

An act for the relief J. V. N. Thompson and William Huston.

An act for the relief of Y. Ewing.

An act concerning the school lands of St. Louis county.

The House of Representatives has concurred in the amendment of the Senate to the House bill entitled,

An act to incorporate the inhabitants of the town of Fayette,

The House of Representatives has adopted the following resolutions:

Resolved, That the Senate be requested to return to the House of Representatives the bill entitled,

An act for the benefit of Gasconade county.

The Speaker has signed the enrolled bill entitled,

An act for the relief of W. W. Compton.

Whereupon the aforesaid enrolled bill was signed by the President of the Senate.

Mr. Snyder from the committee on enrolled bills, reported as truly enrolled a bill entitled,

An act for the relief of William W. Compton.

Mr. Welborn from the committee on education, to whom was referred,

The House bill entitled,

An act to enable the State university to borrow money.

Reported it to the Senate without amendment, and recommended its passage.

The report was read and agreed to and the bill read a third time.

Mr. Massey moved to amend by way of ryder as follows:

Strike out of the 1st section of the bill the following words:

Or said sum and interest may be discharged by any funds that the General Assembly by law provide for that purpose.

Which was read and on motion of Mr. Campbell rejected.

Mr. Fort moved to amend by way of ryder as follows:

In the 1st section, insert between the word "law" and the word "or" the following:

And in default of such surplus dividend, so much of the stock of said seminary fund, as shall be necessary for that purpose, shall be sold at the highest price that can be procured by said bank, and the proceeds appropriated to the discharge of said loan and interest.

Which was read a first time, and

On motion of Mr. Ellis, rejected by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Miller, Mills, O'Bryan, Powers, Reese, Snell, and Welborn—13.

Nays—Messrs. Acock, Fort, Harper, Harris, Hudspeth, Johnson, Lucas, Massey, Polk, Shelton, Snyder, Thompson and Wolfskill—13.

Absent, with leave, Messrs. Anderson, Jones and Rawlins.

Sick, Messrs. Blythe, Detchemendy and Netherton.

The Senate being equally divided the president gave the casting vote in the affirmative.

On motion of Mr. Shelton, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—26.

Absent with leave—Messrs. Anderson, Jones and Rawlins.

Sick—Messrs. Blythe, Detchemendy and Netherton.

On motion, all further proceedings under the call were dispensed with.

Mr. Massey moved to amend the bill by way of ryder as follows:

Add the following to the end of the first section:

"And the Superintendant of Common Schools is hereby vested with power and authority to negotiate a loan to the amount of thirty thousand dollars with the bank of Missouri or any of its branches, for the use of, and to be distributed by him to the common schools; said loan to be negotiated upon the same terms, and payable in the same manner as the loan above authorised to be made to the curators of the University.

Which was read, and objections being made, the question on the rejection of the ryder was determined in the affirmative, by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Harris, Lucas, Miller, Mills, O'Bryan, Reese, Snell, Welborn and Wolfskill—14.

Nays—Messrs. Fort, Gentry, Hancock, Harper, Hudspeth, Johnson, Massey, Polk, Powers, Shelton, Snyder and Thompson—12.

Absent with leave, Messrs. Anderson, Jones and Rawlins.
Sick, Messrs. Blythe, Detchemendy and Netherton.

The question then recurred on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harris, Hudspeth, Lucas, Miller, Mills, O'Bryan, Reese, Shelton, Snell, Welborn and Wolfskill—16.

Nays—Messrs. Acock, Fort, Hancock, Harper, Johnson, Massey, Polk, Powers, Snyder and Thompson.—10.

Absent with leave, Messrs. Anderson, Jones and Rawlins.
Sick, Messrs. Blythe, Detchemendy and Netherton.

Mr. Welborn on leave introduced a bill entitled,
An act to provide for the investigation of the books of the office of the Auditor of public accounts.

Which was read a first time, and ordered to a second reading.

Mr. Acock from the committee of ways and means, to whom was referred the bill entitled,

An act concerning the treasury of the State,

Together with the amendment thereto, reported a substitute for the same.

The report and substitute were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Acock also from the same committee to whom was referred the resolution from the House entitled,

Joint resolution to authorise the Governor to borrow money.

Reported a bill as a substitute for the same, entitled,

An act to authorise the Governor of the State of Missouri to borrow money.

The report and substitute were read and agreed to, and the resolution as amended by the substitute was read a third time.

On motion of Mr. Massey,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was—26.

Absent with leave, Messrs. Anderson, Jones and Rawlins.

Sick, Messrs. Blythe, Detchemendy and Netherton.

On motion, all further proceedings under the call were dispensed with.

The question was then taken on the passage of the resolution as amended by the substitute, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Lucas, Miller, Mills, O'Bryan, Polk, Powers, Reese, Snell and Wolfskill—20.

Nays—Messrs. Fort, Massey, Shelton, Snyder, Thompson and Welborn—6.

Absent with leave—Messrs. Anderson, Jones and Rawlins.

Sick, Messrs. Blythe, Detchemendy and Netherton.

Mr. Snyder from the select committee, to whom was referred a memorial of sundry citizens of St. Louis county and city, praying the General As-

sembly to separate the office of recorder from that of county court clerk, within and for said county, by legislative enactment, and also a remonstrance on the same subject, protesting against the separation of said offices, reported that in the opinion of the committee it would be inexpedient at this time to separate said offices.

The committee also asked to be discharged from the further consideration of the subject.

The report was read and agreed to.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. PRESIDENT:—

The Speaker has signed the enrolled bills entitled,

An act to provide for choosing electors of President and Vice President of the United States.

An act for the benefit of A. B. Potts and Robert Reed.

An act for the benefit of Rea, Slack and others.

An act concerning the school lands in St. Louis county.

Whereupon the President of the Senate signed said enrolled bills.

On motion of Mr. Reese,

Messrs. Fort, Welborn and Wolfskill were added to the select committee appointed to lay off the State into judicial circuits.

On motion of Mr. Massey,

Messrs. Hudspeth, O'Bryan and Harris were added to the select committee on county boundaries.

On motion the Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, *March* 10, 1845.

The Senate met pursuant to adjournment.

Mr. Lucas presented the remonstrance of sundry citizens of the city of St. Louis against taxing and restricting foreign insurance agencies, also, a petition from several of the citizens of St. Louis on the same subject, which were on his motion, referred to the committee of ways and means.

Mr. Hancock from the committee on claims, to whom was referred,
The House bill entitled,

An act for the relief of Hamilton Finley and George Arrowsmith.

Reported it to the Senate without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

Mr. Snyder, from the select committee to whom was referred the bill entitled,

An act to provide for electing a public printer.

Reported to the Senate a substitute therefor.

The report and substitute were read and agreed to, when the rule was suspended, and the substitute read a second time.

Mr. Campbell moved to amend the substitute by adding the following as an additional section:

Sec. 28. This act may be amended, modified, and repealed by the Legislature at pleasure.

Which was read and agreed to by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Fort, Gentry, Harper, Harris, Hudspeth, Lucas, Mills, Netherton, O'Bryan and Snell—14.

Nays—Messrs. Acock, Hancock, Johnson, Jones, Massey, Miller, Polk, Powers, Shelton, Snyder, Thompson, Welborn and Wolfskill—13.

Absent, Messrs. Ellis and Reese.

Absent with leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

Mr. Polk moved to amend the substitute by inserting the following at the end of the 2nd section.

No person shall be eligible to the office of public printer, who is not a practical and experienced printer.

Which was read and agreed to.

Mr. Snyder moved to amend by adding the following at the end of the last section of the substitute.

This act shall take effect from its passage.

Which was read and agreed to.

On motion of Mr. Hudspeth, the vote on agreeing to the amendment offered by Mr. Polk, was reconsidered.

The question was then taken on agreeing to Mr. Polk's amendment, and was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Gentry, Harper, Harris, Lucas, Miller, Mills, O'Bryan, Polk, Powers and Snell—14.

Nays—Messrs. Acock, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Netherton, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—14.

Absent—Mr. Ellis.

With leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

The Senate being equally divided, the President gave the casting vote in the negative.

On motion, the substitute was considered as engrossed, and ordered to a third reading on to-morrow.

The bill entitled,

An act to provide for the investigation of the books of the Auditor of public accounts,

Was read a second time, ordered to be engrossed, and read a third time on to-morrow.

The bill entitled,

An act supplementary to an act entitled an act to lay off the State into congressional districts, approved Feb 21, 1845,

Was read a third time.

Mr. Welborn moved to amend by way of ryder as follows:

Strike out "Texas" in the fifth congressional district, and insert "Texas" in the second congressional district. Strike out "Oregon" in the first congressional district, and insert "Oregon, in the second congressional district.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The question recurred on the passage of the bill as amended and was determined in the affirmative.

Message from the House of Representatives, by Mr. Gilpin their clerk.

MR. PRESIDENT:

The following bills have been introduced in the House of Representatives:

An act to define the southern boundary line of Jasper county.

An act for the relief of James M. Gordon.

An act to vacate a State road in Buchanan county.

An act for the benefit of Valentine A. Sublette.

The following bills have passed the House of Representatives:

An act respecting certain school lands in Pettis county.

An act to establish a State road in Sullivan and Putnam counties.

An act to repeal the several acts to encourage the destruction of wolves.

An act amendatory of an act to incorporate the Independence fire company, approved Feb. 6, 1843.

An act for the benefit of C. F. and W. D. Marlow, heirs of J. S. Marlow, late of Lewis county.

The House of Representatives has agreed to the amendments of the Senate to the House bills entitled,

An act to change a certain State road in Jackson county.

An act concerning executors and administrators.

The following revised bills from the senate have passed the House of Representatives.

An act to establish a criminal court in the county of St. Louis.

An act regulating the action of ejectment.

An act concerning corporations.

An act regulating judgments and decrees.

The House of Representatives has amended and passed as amended the Senate bill entitled,

An act to restrain gaming.

The following revised bill has passed the House of Representatives.

An act to provide for the organization, support and government of common schools.

The House of Representatives has rejected the House bills entitled,

An act for the relief of Littleton J. Roberts.

An act to organize Edwards county.

An act for the relief of Stephen A. Wood, late sheriff of Franklin county.

An act for the relief of Moses D. Bates, Ephraim J. Wilson and William McDaniel.

An act for the relief of Geo. H. C. Melody and Cornelius Campbell.

An act for the relief of Smith and others.

An act for the relief of Samuel D. Lucas.

An act for the relief of Benjamin Gregg.

The House of Representatives has amended and passed as amended the Senate bill entitled,

An act concerning the treasury of this State.

The Speaker of the House of Representatives has signed the enrolled bills entitled,

An act for the relief of William Lawson, sheriff of Ripley county.

An act supplemental to an act to provide for the organization of certain counties.

An act for the relief of Joseph Gibson.

An act for the benefit of Joseph H. Reynolds and Harman T. Wilson.

An act to establish a State road in Camden and other counties.

An act to authorise the county court of Shannon county to borrow the road and canal fund.

An act for the relief of John Smarr.

An act to establish a State road from Tully, in Lewis county, to Memphis in Scotland county.

Joint resolution in favor of Michael Nye.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Snyder from the select committee to whom was referred the bill entitled.

An act amendatory of an act to concentrate the Supreme court.

Reported it to the Senate with several amendments, and recommended its passage as amended.

The report and amendments were read.

On motion of Mr. Hudspeth,

The report was amended, by striking the words "Shannon county," out of the second section of the bill, when the question recurred on agreeing to the report and was determined in the affirmative.

Mr. Miller moved that the bill reported by the committee be laid on the table until Saturday, which was negatived, and

The bill as amended was read a third time.

Mr. Polk moved to amend the bill by way of ryder as follows:

In the second section after the word "Dunklin" insert the words "Reynolds and Knox."

Which was read and objections being made, the question on the rejection of the ryder was determined in the negative.

Mr. Shelton moved a suspension of the rules, and that the ryder be read a second time now, which was decided affirmatively by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Lucas, Mills, Netherton, O'Bryan, Polk, Reese, Shelton, Snyder and Welborn—19.

Nays—Messrs. Acock, Ellis, Fort, Johnson, Massey, Powers, Snell, Thompson and Wolfskill—9.

Absent, with leave, Messrs. Anderson and Rawlins.

Absent, Mr. Miller.

Sick—Mr. Blythe.

The ryder was then read a second time; considered as engrossed, the rules further suspended, and read a third time.

Mr. Hanceck moved to amend by way of ryder as follows:

Strike out the word "Decatur" out of the second section.

Which was read a first time, the rules suspended, read a second, time considered as engrossed and read a third time.

Mr. Massey moved to recommit the bill to the same select committee which reported it.

The motion was negatived.

Mr. Acock moved that the bill be re-engrossed, which was negatived.

Mr. Jones moved to lay it on the table until 3 o'clock, which was also negatived.

The question was then taken on the passage of the bill as amended and was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Gentry, Hudspeth, Jones, Lucas, Mills, Netherton, O'Bryan, Polk, Reese, Shelton, Snyder, Welborn and Wolfskill—17.

Nays—Messrs. Acock, Ellis, Fort, Hancock, Harper, Johnson, Massey, Miller, Powers, Snell and Thompson—11.

Absent, Mr. Harris.

With leave, Messrs. Anderson and Rawlins.

Sick—Mr. Blythe.

The bill entitled,

An act to provide for the investigation of the books of the auditor of public accounts,

Was read a second time, ordered to be engrossed, and read a third time on tomorrow.

The bill entitled,

An act concerning practice at law,

Was read a third time.

Mr. Jones moved to amend by way of ryder as follows:

Insert the following as the 1st section of the bill.

Sec. 1. It shall be the duty of the circuit courts throughout the several judicial circuits in this State, at the return term of every writ, in civil cases, to examine the plaintiffs declaration, plaint and statement of his cause of action, and to call upon the plaintiff or his attorney to make a statement of what is expected to be proved to sustain the declaration or other statement of the plaintiffs cause of action, and if the court shall find any defect in the plaintiffs declaration or statement of his cause of action, or that there is a variance between the declaration and writ, or the matters relied on in evidence to support said declaration, the court shall order the declaration, writ or other pleading to be amended upon such terms as may be just, and the cause set for trial at the next term of the court, or continued at the discretion of the court.

Also, in the 2nd section after the word "defence" insert the words "to the merits of the action."

Also, add the following as a fifth section.

Sec. 5. No suit shall be dismissed for want of form, but it shall be the duty of the court to hear and determine every cause upon its merits as the very right of the case shall appear.

Was read a first time, the rules suspended, read a second time, considered as engrossed, and read a third time.

On motion of Mr. Reese, the vote on ordering the ryder to a third reading was reconsidered, when

On motion of Mr. Massey,

The bill and ryder were referred to a select committee consisting of Messrs. Jones, Reese and Campbell.

The House bill entitled,

An act relative to a State road in Franklin county, established by an act approved Feb. 1st, 1839,

Was read a third time.

Mr. Hudspeth moved to amend by way of ryder as follows:

Add at the end of the 3rd section the following:

"Belonging to the counties through which said road passes."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The bill as amended passed.

The House bill entitled,

An act to repeal an act to lay out and mark a State road from the Hermann and Port William road in Franklin county, to the St. Louis and Jefferson City State road, in St. Louis county, approved Feb. 16th, 1843.

Was read a third time and passed.

The House bill entitled,

An act to establish a probate court in Ste. Genevieve county,

Was on motion, laid on the table till Monday next.

Mr. Fort moved to adjourn.

Which was negatived.

The bill entitled,

An act regulating the interest of money,

Was taken up.

The ryder offered by Mr. Acock being under consideration the same was read a second time.

Mr. Shelton moved to amend the ryder as follows:

In the 33rd line of the ryder between the words "interest" and "for" insert the words "and half of the principal."

Which was read and negatived by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Fort, Hudspeth, Lucas, Mills, Shelton and Wolfskill—9.

Nays—Messrs. Acock, Detchemendy, Ellis, Gentry, Harris, Hancock, Harper, Johnson, Jones, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Snell, Thompson and Welborn—18.

Absent, Messrs. Reese and Snyder.

Absent with leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

On motion of Mr. Acock,

The rules were suspended and the question on ordering the ryder to a third reading was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Johnson, Jones, Lucas, Miller, Netherton, O'Bryan, Polk, Powers, Snell and Welborn—18.

Nays—Messrs. Boggs, Campbell, Fort, Hudspeth, Massey, Mills, Shelton, Thompson and Wolfskill—9.

Absent and sick, same as above.

The ryder was then read a third time.

Mr. Shelton moved to adjourn, which was negatived.

Mr. Fort, moved to amend by way of ryder as follows:

Add the following sections at the end of the bill.

Sec. 8. In every case when any person or persons have paid or caused to be paid more than the legal interest to any other person or persons, for the use, forbearance or detention of money or other commodity, any creditor of such person or persons paying such usury, or unlawful interest, shall have a right to an action against any person or persons who may have received such usury or unlawful interest before any court in this State of competent jurisdiction.

Sec. 9. Should it appear from the evidence adduced on the trial of the cause, that the person or persons against whom such suit has been brought, has taken or received unlawful interest or usury, either directly or indirectly, from the debtor of the plaintiff in the suit, then and in that case the plaintiff shall recover judgment for the full amount of all the interest paid by such debtor to such usurer, with the costs of suit; provided his claim against his debtor amounts to the interest and usury paid; if not the plaintiff shall recover his debt and costs only.

Sec. 10. Executors, administrators and guardians shall have the right of action and recovery under the provisions of the two preceding sections of this act.

Sec. 11. The three preceding sections of this act are remedial in their character and purposes, and shall be liberally construed.

Which was read a first time.

Mr. Acock objected to the ryder.

Mr. Shelton moved a call of the House,

Which was negatived.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Snyder from the committee, on enrolled bills reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act for the relief of W. W. Compton.

An act for the relief of Horsley Rea, John Slack and others.

An act concerning the school lands in St. Louis county.

On motion of Mr. Miller, the Senate concurred in the resolution of the House requesting the return of the House bill entitled,

An act for the benefit of Gasconade county.

The President laid before the Senate the following communications from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 10, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act to define the jurisdiction and regulate proceedings of justices courts in cases of breach of the peace.

An act respecting wills.

Very respectfully,
Your ob't. s'vt.
JOHN C. EDWARDS.

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, March 10, 1845.

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles:

An act for the relief of Horsely Rea, John Slack and others.

An act concerning the school lands in St. Louis county.

An act for the relief of William W. Compton.

Very respectfully,
Your ob't. serv't.
JOHN C. EDWARDS.

On motion the Senate repaired to the hall of the House of Representatives, to proceed in the election of President and Directors of the branch of the bank of the State of Missouri, at Lexington, when the President of the Senate took the Speaker's chair, and announced the object of the meeting.

On motion of Mr. Bay of the House,

A call of the two Houses was ordered.

The roll being called,

The Senators severally answered to their names, with the exception of Messrs. Mills and Shelton absent, and

Absent with leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

The number of the members of the House of Representatives, sick and absent, was—26.

The sergeants at arms of the two Houses were despatched to notify the absentees, when

On motion of Mr. Fort, all further proceedings under the call were dispensed with.

The President announced that nominations for President of the branch bank at Lexington were now in order.

Mr. Holden of the House, nominated Lewis Green.

Mr. Neil of the House nominated William Limerick.

For Mr. Green—64 votes.

For Mr. Limerick—43 votes.

The Senators voted as follows:

For Mr. Green—Messrs. Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, Polk, Powers, Reese, Shelton, Snyder, Thompson Welborn and Wolfskill—17.

For Mr. Limerick—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Lucas, O'Bryan, and Snell—11.

Absent—Mr. Mills.

Absent with leave—Messrs. Anderson and Rawlins.

Sick—Mr. Blythe.

Whereupon Mr. Lewis Green having received a majority of the votes given, was declared duly elected President of the branch of the bank of the State of Missouri at Lexington, for the ensuing two years.

The President announced that nominations for directors of the branch bank at Lexington were in order.

Mr Holden of the House, nominated William Limerick.

The vote being taken, there appeared,

For Mr. Limerick—95 votes.

For Mr. Sharp—5 votes.

For Mr. Burden—3 votes.

The Senators voted as follows:

For Mr. Limerick, Messrs. Acock, Boggs, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—26.

Absent, Messrs. Campbell, Lucas and Mills.

With leave, Messrs. Anderson and Rawlins.

Sick, Mr Blythe.

Whereupon Mr. William Limerick was declared duly elected a director of the branch bank at Lexington for the ensuing two years, having received a majority of all the votes given.

Nominations for directors being again in order,

Mr. Holden of the House nominated John McFadden.

The vote being taken, there appeared,

For Mr. McFadden—71 votes.

For Mr. Burden—2 votes.

For Mr. Holden of the House—1 vote.

For Mr. Robidoux—1 vote.

For Mr. Davis of of the House—1 vote.

For Mr. Griffin of the House—6 votes.

For Mr. Detchemendy—2 votes.

For Mr. Younger of the House—1 vote.

For Mr. Cooper—1 vote.

For Mr. Parks—1 vote.

For Mr. Hughes—1 vote.

For Mr. Jasper—1 vote.

For Mr. Richmond—1 vote.

For Mr. Chiles—1 vote.

The Senators voted as follows:

For Mr. McFadden—Messrs. Acock, Boggs, Calhoun, Ellis, Fort, Gentry, Hancock, Harper, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snyder and Wolfskill—21.

For Mr. Holden—Mr. Detchemendy—1.

For Mr. Burden—Mr. Harris—1.

Absent, Messrs. Campbell, Lucas, Mills, Snell, Thompson and Welborn.

With leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

Whereupon Mr. John McFadden having received a majority of the votes given, was declared duly elected a director of the branch bank at Lexington for the two years next ensuing.

Nominations for directors being again in order,

Mr. Reynolds of the House nominated Cornelius Davy.

The vote being taken, there appeared,

For Mr. Davy—93 votes.

For Mr. McAfee—2 votes.

For Mr. Fort—1 vote.

The Senators voted as follows:

For Mr. Davy—Messrs. Acock, Boggs, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snyder and Wolfskill—23.

Absent, Messrs. Campbell, Lucas, Mills, Snell, Thompson and Welborn.

With leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

Whereupon Mr. Cornelius Davy, having received a majority of the votes given, was declared duly elected a director of the branch bank at Lexington, for the ensuing two years.

Nominations for directors being again in order.

Mr. Acock nominated James M. Fulkerson.

Mr. Basset of the House nominated William B. Waddle.

The vote being taken there appeared,

For Mr. Fulkerson—62 votes.

For Mr. Waddle—34 votes.

The Senators voted as follows:

For Mr. Fulkerson—Messrs. Acock, Boggs, Detchemendy, Ellis, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Polk, Powers, Shelton, Snyder, Thompson and Welborn—18.

For Mr. Waddle—Messrs. Calhoun, Fort, Netherton, O'Bryan, and Wolfskill—5.

Absent—Messrs. Campbell, Gentry, Lucas, Mills, Reese and Snell.

Absent, with leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

Whereupon, Mr. James M. Fulkerson, having received a majority of the votes given was declared duly elected a director of the branch bank at Lexington for the ensuing two years.

Nominations for directors being again in order.

Mr. Thompson of the House, nominated Daniel Branstetter.

Mr. Hughes of the House nominated Richard Tunis.

The vote being taken there appeared,

For Mr. Branstetter—25 votes.

For Mr. Tunis—64 votes.

The Senators voted as follows:

For Mr. Branstetter—Messrs. Ellis, Johnson, Massey and Snyder—5.

For Mr. Tunis—Messrs. Acock, Boggs, Calhoun, Detchemendy, Hancock, Harper, Harris, Hudspeth, Jones, Netherton, Shelton and Wolfskill—11.

For Mr. Calhoun of the Senate—Mr. Polk—1.

Absent, Messrs. Calhoun, Fort, Gentry, Lucas, Miller, Mills, O'Bryan, Powers, Reese, Snell, Thompson and Welborn.

With leave, Messrs. Anderson, and Rawlins.

Sick, Mr. Blythe.

Whereupon Mr. Richard Tunis having received a majority of the votes given, was declared duly elected a director of the branch bank at Lexington for the ensuing two years.

Nominations for directors being in order,

Mr. Ward of the House, nominated George P. Post.

The vote being taken, there appeared,

For Mr. Post—75 votes.

For Mr. Compton—13 votes.

For Mr. Rains of the House—1 vote.

For Mr. Cooper—1 vote.

For Mr. Jasper—1 vote.

For Mr. Richmond—1 vote.

For Mr. Robidoux—1 vote.

For Mr. Perryman—1 vote.

The Senators voted as follows:

For Mr. Post—Messrs. Acock, Boggs, Detchemendy, Ellis, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Netherton, Polk, Shelton, Snyder, Welborn and Wolfskill—18.

Absent, Messrs. Campbell, Calhoun, Fort, Gentry, Miller, Mills, O'Bryan, Powers, Reese, Snell and Thompson.

With leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

Whereupon Mr. George P. Post having received a majority of all the votes given, was declared duly elected a director of the branch bank at Lexington for the ensuing two years.

On motion of Mr. Boggs,

Ordered that the President and Directors of the branch bank at Lexington be notified of their election as such.

The President announced that the business for which the two Houses convened was finished, when,

On motion the Senate repaired to its chamber.

The question on the rejection of Mr. Forts ryder being under consideration, the same was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Calhoun, Detchemendy, Gentry, Hancock, Harper,

Johnson, Jones, Lucas, Miller, Netherton, O'Bryan, Polk, Powers, Snell and Welborn—16.

Nays—Messrs. Boggs, Ellis, Fort, Harris, Hudspeth, Massey, Mills, Reese, Shelton, Snyder, Thompson and Wolfskill—12.

Absent, Mr. Campbell.

Absent with leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

The question then recurred on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Reese, Snell, Thompson and Welborn—23.

Nays—Messrs. Fort, Massey, Shelton, Snyder and Wolfskill—5.

Absent, Mr. Campbell.

Absent, with leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, *March 11, 1845.*

The Senate met pursuant to adjournment.

Mr. O'Bryan, presented the petition of William G. Bell, chairman of the board of trustees, of the Boonville Academy praying in behalf of said board of trustees a legislative enactment, authorising and empowering said trustees and their successors, to sell and convey any real estate held by them for the use and benefit of said academy.

Which was referred to a select committee consisting of Messrs. O'Bryan, Boggs and Calhoun.

Mr. Campbell from the committee on engrossed bills reported as truly engrossed, a bill entitled,

An act to provide for the investigation of the books of the office of the Auditor of public accounts.

Mr. Welborn from the select committee, to whom was referred so much of the Governor's message as related to a lunatic asylum, reported that the committee had instructed him to ask to be discharged from the further consideration of the subject.

The report was read and agreed to.

The bill entitled,

An act to provide for the investigation of the books of the office of the Auditor of public accounts,

Was read a third time.

Mr. Lucas moved its reference to a select committee.

Which was negatived.

Mr. Massey moved to amend by way of ryder as follows:

Add the following at the end of the 6th section:

Provided, that no money shall be drawn from the treasury by the persons ap-

pointed by the Governor, until their accounts shall be laid before and passed upon by the next General Assembly.

Was read a first time, the rule suspended, read a second time, considered as engrossed and read a third time.

The question was then taken on the passage of the bill as amended, and was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Reese, Snyder, Welborn and Wolfskill—23.

Nays—Messrs. Lucas, Powers and Snell—3.

Absent, Messrs. Acock and Thompson.

Absent with leave, Messrs. Anderson and Rawlins.

Sick, Messrs. Blythe and Shelton.

Message from the House of Representatives by Mr. Gilpin their clerk :

MR. PRESIDENT:

The following bills have been introduced in the House of Representatives:

An act to incorporate the Palmyra and Marion City turnpike company.

An act to establish a State road from Palmyra in Marion, to Paris in Monroe county.

The following bills have passed the House of Representatives.

An act concerning the county surveyor of St. Louis county.

An act to extend the jurisdiction of the justices of the peace and constables in the town of Washington and township of St. Louis, in Franklin county.

An act to change the name of Lucinda G. Grimes.

An act to incorporate the Hannibal library institute.

An act to authorise the county court of Franklin county to declare a certain county road a State road.

An act to vacate a portion of a State road, and to declare a county road in Clark county a State road.

The Speaker has signed the enrolled bill entitled,

An act authorizing the county court of Jackson county to appoint certain road commissioners.

An act to incorporate the inhabitants of the town of Fayette.

An act to incorporate the town of Savannah.

An act to incorporate the apprentices library association of St. Louis.

An act for the relief of Israel B. Grant, clerk of the Callaway county court.

An act for the benefit of William A. Whitehead.

An act legalizing the proceedings of the commandant of the 88th regiment of the Missouri militia.

An act relative to the road and canal fund of Perry and Ste. Genevieve counties.

An act to revive and amend an act concerning a State road in Clark county.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

The substitute for the bill entitled,

An act to provide for the electing of a Public Printer,

Was read a third time, and passed by the following vote:

Yeas—Messrs. Acock, Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Polk, Powers, Reese, Snyder, Thompson, Welborn and Wolfskill—16.

Nays—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Lucas, Mills, Netherton, O'Bryan and Snell—12.

Absent with leave, Messrs. Anderson and Rawlins.
Sick, Messrs. Blythe and Shelton.

Mr. Jones, from the select committee to whom was referred the bill entitled,
An act concerning practice at law,
On leave reported it to the Senate for further consideration.

Mr. Massey moved to lay the report on the table, which was negatived by the following vote:

Yeas—Messrs. Campbell, Calhoun, Gentry, Hancock, Harris, Lucas, Massey, Miller, Mills, Netherton and Snell—11.

Nays—Messrs. Boggs, Detchemendy, Ellis, Fort, Harper, Hudspeth, Jones, O'Bryan, Polk, Powers, Reese, Snyder and Wolfskill—13.

Absent, Messrs. Acock, Johnson, Thompson and Welborn.

Absent with leave, Messrs. Anderson and Rawlins.

Sick, Messrs. Blythe and Shelton.

The bill was then read a third time.

On motion of Mr. Jones, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—26.

Absent, Messrs. Acock and Johnson.

With leave—Messrs. Anderson, and Rawlins.

Sick—Messrs. Blythe and Shelton.

The sergeant at arms was despatched to notify the absentees, when

On motion of Mr. Massey,

All further proceedings under the call were dispensed with.

Mr. Boggs moved to adjourn, which was negatived.

Mr. Mills also moved to adjourn until 2 o'clock, which was also negatived.

The question then recurred on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Calhoun, Hudspeth, Johnson, Jones, Massey, O'Bryan, Polk, Powers, Shelton, Snyder, Thompson and Wolfskill—14.

Nays—Messrs. Campbell, Ellis, Fort, Gentry, Hancock, Harris, Miller, Mills, Netherton, Reese, Snell and Welborn—12.

Absent, Messrs. Detchemendy, Harper and Lucas.

Absent with leave, Messrs. Anderson and Rawlins.

Sick, Mr. Blythe.

Mr. Snyder, from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act amendatory to an act to provide for the selection and sale of the lands granted to this State by act of Congress, approved Sept. 4th, 1841, approved Feb. 27, 1843,

An act to provide for the election of Justices of the peace and to prescribe their powers and duties.

An act regulating injunctions, and

An act for the relief of G. Ewing.

Message from the House of Representatives, by Mr. Lowe, engrossing clerk.

Mr. President:

The Speaker has signed the enrolled bills entitled,

An act to provide for the election of justices of the peace, and to prescribe their powers and duties.

An act regulating injunctions.

An act for the relief of Y. Ewing.

An act amendatory of an act entitled an act to provide for the selection and sale of the lands, granted to this State by act of Congress approved Sept. 4, 1841, approved Feb. 27th, 1843.

An act to establish a State road from Harrisonville to Osceola.

An act to provide for the recovery of debts by attachment.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

Mr. Campbell from the select committee to whom was referred the memorial of Mons. Alexandre Vattemere, relative to the international exchange of literary works and the productions of nature and art, on leave of the Senate made a report accompanied with a series of joint resolutions.

The report was read, and the question was pending on agreeing thereto, when

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Jones leave of absence was granted to Mr. Harper.

On motion of Mr. Mills leave of absence was granted to Mr. Lucas.

Mr. Miller from the selec. committee, to whom was referred the petition of Messrs. Gordon and Burch, reported a bill entitled,

An act for the benefit of Messrs. Gordon and Burch and others.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time to-morrow.

On motion, the report of Mr. Campbell on the memorial of Mons. Alexandre Vattemere, was taken up and disagreed to.

On motion of Mr. Welborn,

The amendments of the House to the Senate bill entitled,

An act concerning the treasury of the State,

Was taken up and read.

The president decided the amendments, to be out of order upon the ground that a proposition was contained therein similar to one which had been indefinitely postponed by the Senate, during the present session, relative to the receipt of Missouri's share of the nett proceeds of the sales of the public lands under the act of Congress of Sept. 4, 1841.

Mr. Gentry appealed from the decision of the chair.

The question was then put, "shall the decision of the chair stand as the judgment of the Senate?" and was decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Fort. Hancock, Johnson, Jones, Massey, Miller, Polk, Powers, Snyder, Thompson, Welborn and Wolfskill—13.

Nays—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Mills, Netherton, O'Bryan, Rawlins and Snell—10.

Absent—Messrs. Ellis, Hudspeth, Reese and Shelton.

With leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The House bill entitled,

An act for the relief of Preston P. Brickey, late sheriff of Washington county,
Was read a first time and ordered to a second reading.

The following House bills were severally read a first time, the rule suspended and read a second time and ordered to a third reading.

An act for the benefit of C. F. and W. D. Marlow, heirs of J. S. Marlow, late of Lewis county.

An act for the relief of Robert McCutchen and others.

The following House bills were severally read a first time, the rule suspended, read a second time, and referred as follows:

To committee on education,

An act to provide for the organization, support and government of common schools.

To the committee on the judiciary,

An act to extend the jurisdiction of the justices of the peace and constables in the town of Washington, and township of St. Louis, in Franklin county.

To the committee on the militia,

An act for the relief of A. W. Jeffries and Lewis C. Frazier.

To the committee on agriculture,

An act to improve the breed of sheep.

The following House bills were severally read a first time, the rule suspended, read a second time and committed to the committee of ways and means:

An act to refund certain monies to the county of Van Buren.

An act for the relief of Elihu H. Shepherd.

An act for the relief of Peter M'Clain.

An act for the relief of Josiah Dejarnette.

An act for the relief of A. B. Tinsley.

The following were severally read a first time, the rule suspended, read a second time, and committed to the committee on claims.

An act for the benefit of Jacob Breittenstein.

An act for the benefit of Jacob Cutler.

An act for the relief of Robert E. Baker, sheriff of Callaway county.

An act for the relief of W. Z. Angney and others.

An act for the relief of Major M. Johnson.

An act for the relief of Mason G. Pemberton late sheriff of Pettis county.

The following House bills were severally read a first time, the rule suspended, and read a second and third time and passed.

An act to incorporate the Hannibal library institute.

An act to establish a State road in Sullivan and Putnam counties.

An act respecting certain school lands in Pettis county.

An act amendatory of an act to incorporate the Independence fire company, approved Feb. 6, 1843.

An act to authorise the county court of Franklin county to declare a certain county road a State road.

An act to change the name of Lucinda G. Grimes.

An act concerning the county surveyor of St. Louis county.

An act to vacate a portion of a State road and to declare a county road in Clark county a State road.

An act to establish a State road from St. Joseph to Plattsburgh.

An act for the relief of Delila Cartmill.

An act to attach a portion of Polk county to St. Clair county.

An act to amend an act to establish a corporation in the city of St. Louis, for the purpose of education, approved Feb. 13th, 1833.

An act to authorise the county court of Taney county to borrow the road and canal fund of said county.

The House bill entitled,

An act to repeal all acts allowing to persons the privilege of pedling without license.

Was read a first time, the rule suspended and read a second time.

Mr. Massey moved its committment to a committee of the whole,

Which was negatived, and the rule was suspended, and the bill read a third time, when

The question on the passage of the bill was determined in the negative by the following vote:

Yeas—Messrs. Gentry, Mills, Netherton, Polk, Snyder and Wolfskill—6.

Nays—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Harris, Hudspeth, Johnson, Jones, Massey, Miller, O'Bryan, Powers, Rawlins, Reese, Snell, Thompson and Welborn—21.

Absent, Mr. Shelton.

With leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The House bill entitled,

An act to repeal the several acts to encourage the destruction of wolves,

Was read a first time, the rules suspended, and read a second time.

Mr. Hancock moved to amend the bill by striking out the 2d and 3d sections.

Which was read, and on motion of Mr. Polk, rejected.

Mr. Wolfskill moved the reference of the bill to the committee on agriculture; Which was negatived.

On motion the rule was further suspended, and the bill read a third time.

When the question on its passage was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Campbell, Calhoun, Detchemendy, Fort, Gentry, Harris, Johnson, Jones, Miller, Mills, Netherton, O'Bryan, Powers, Rawlins, Shelton, Snell and Welborn—18.

Nays—Messrs. Boggs, Ellis, Hancock, Hudspeth, Massey, Polk, Reese, Snyder, Thompson and Wolfskill—10.

Absent, with leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

Mr. Snyder from the committee, on enrolled bills reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to provide for the election of justices of the peace and to prescribe their powers and duties.

An act amendatory to an act entitled an act to provide for the selection and sale of lands granted to this State by an act of Congress, approved Sept 4, 1841 approved Feb. 27, 1843.

An act regulating injunctions.

An act for the relief of Y. Ewing.

The House bill entitled,

An act for the relief of persons erroneously charged with tax.

Was read a first time.

Mr. Fort moved its rejection, when the question on the rejection of the bill was determined in the negative by the following vote:

Yeas—Messrs. Acock, Fort, Gentry, Hancock, Johnson, Massey, Netherton, Polk, Powers, Shelton, Snyder and Wolfskill—13.

Nays—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Harris, Hudspeth, Jones, Miller, Mills, O'Bryan, Rawlins, Reese, Snell and Welborn—14.

Absent with leave—Messrs. Anderson, Harper and Lucas.
Sick—Mr. Blythe.

So the bill was ordered to a second reading.

On motion, the Senate adjourned, until to-morrow mornning at 9 o'clock.

WEDNESDAY MORNING, *March*, 12, 1845.

The Senate met pursuant to adjournment.

On motion of Mr. Ellis,

The Senate took a recess for one hour.

The Senate met at the appointed time. and resumed its business.

Mr. Hancock from the committee on claims, to whom was referred,

The bill entitled,

An act for the relief of John L. Hamilton, collector of Franklin county.

Reported it to the Senate without amendment and recommended its passage.

The report was received and read, and the bill read a third time and passed.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act for the benefit of Messrs. Gorden, Burch and others.

Mr. Snyder, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act to establish a criminal court in the county of St. Louis.

An act regulating the action of ejectment.

An act regulating judgments and decrees.

Mr. Acock from the committee of ways and means to whom was referred,

The House bill entitled,

An act regulating marriages,

And the Senate bill upon the same subject, reported the House bill to the Senate, with an amendment containing the same provisions of the Senate bill, and recommended the passage of the House bill as amended, in lieu of the Senate bill.

The report and amendments were read and agreed to by the following vote:

Yeas—Messrs. Acock, Campbell, Detchemendy, Ellis, Gentry, Hancock, Johnson, Massey, Mills, Netherton, O'Bryan, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—17.

Nays—Messrs. Boggs, Calhoun, Fort, Harris, Hudspeth, Jones, Polk, Powers, Rawlins and Thompson—10.

Absent, Mr. Miller.

With leave, Messrs. Anderson Harper and Lucas.

Sick, Mr Blythe.

The consideration of the bill and amendments was passed over for the present.

Mr. Thompson, from the committee on the militia, to whom was referred the House bill entitled,

An act for the relief of Richard D. Austin and Wm. K. Van Arsdale of Monroe county,

Reported it to the Senate and recommended its passage.

The report was received and read, and the bill read a third time and passed.

Mr. O'Bryan, from the select committee to whom was referred the petition of the chairman of the board of trustees of the Boonville academy, reported a bill entitled,

An act to amend an act to incorporate the Boonville academy, approved Jan. 14th, 1825.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and the bill read a third time and passed.

Mr. Jones, from the select committee to whom was referred the petition of Mark Moss, sheriff of Jefferson county, reported a bill entitled,

An act for the relief of Mark Moss, sheriff of Jefferson county.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

Mr. Fort, on leave, introduced a bill entitled,

An act to authorise the curators of the State University to borrow money.

Which was read a first time.

Mr. Massey moved its rejection, when the question on the rejection of the bill was determined in the negative by the following vote:

Yeas—Messrs. Acock, Hancock, Jones, Massey, Polk, Powers, Reese, Shelton, Snyder, Thompson and Welborn—11.

Nays—Messrs. Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harris, Hudspeth, Miller, Mills, Netherton, O'Bryan, Rawlins, Snell and Wolfskill—15.

Absent—Messrs. Detchemendy, and Johnson.

Absent, with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The rule was then suspended, the bill read a second time and referred to a select committee, consisting of Messrs. Ellis, Welborn and Boggs.

Mr. Hudspeth, on leave, introduced a bill entitled,

An act to vacate a certain State road in Gasconade county.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time and passed.

Mr. Mirler, on leave, introduced a bill entitled,

An act for the relief of R. R. and M. L. Jefferson and others.

Which was read a first time, the rule suspended, read a second time, and referred to the committee on claims.

Message from the House of Representatives, by Mr. Gilpin their clerk.

MR. PRESIDENT:

The following bill has been introduced in the House of Representatives:

An act for the relief of John Johnson of Chariton county.

The following bills have passed the House of Representatives:

An act to erect a toll bridge across the Merrimac river, between St. Louis and Jefferson counties.

An act to authorise the Monroe county court to appoint an attorney.

An act for the benefit of Gasconade county.

An act to attach a portion of Chariton county to Linn county.

An act to amend the charter of the Little Osage literary association.

An act supplementary to an act to establish a State road in Scotland county, approved Feb. 27, 1843.

The following revised bill has passed the House of Representatives.

An act to regulate executions.

The following revised bills from the Senate have passed the House of Representatives.

An act to prevent frauds and perjuries.

An act establishing a probate court in St. Louis county, and for other purposes.

The following Senate bill has passed the House of Representatives:

An act supplementary to an act to provide for the organization, support and government of common schools, approved Feb. 9, 1839.

The House of Representatives has amended and passed as amended the revised bill from the Senate entitled,

An act to regulate elections.

The House of Representatives has concurred in the amendments of the Senate to the House bill entitled,

An act concerning mills, millers and the rates of toll.

The House of Representatives has rejected the Senate bill entitled,

An act to organize the county of Donaldson.

Mr. Netherton on leave introduced a bill entitled.

An act to construct a State road from Point Pleasant to west prairie.

Which was read a first time.

Mr. Shelton moved its rejection, when the question on the rejection of the bill was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Gentry, Hancock, Massey, Miller, O'Bryan, Shelton, Snell, Thompson and Welborn—11.

Nays—Messrs. Boggs, Detchemendy, Harris, Hudspeth, Jones, Mills, Netherton, Polk, Powers, Rawlins, Snyder and Wolfskill—12.

Absent, Messrs. Calhoun, Ellis, Fort, Johnson and Reese.

With leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The bill was then ordered to a second reading.

On motion of Mr. Massey,

The Senate adjourned until to-morrow morning at 9 o'clock, by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Harris, Hudspeth, Jones, Massey, Miller, Mills, Netherton, O'Bryan, Powers, Reese, Thompson and Welborn—18.

Nays—Messrs. Acock, Hancock, Gentry, Polk, Rawlins, Shelton, Snell, Snyder and Wolfskill—9.

Absent, Mr. Johnson.

Sick, Mr. Blythe.

Absent with leave, Messrs. Anderson, Harper and Lucas.

THURSDAY MORNING, *March 13*, 1845.

The Senate met pursuant to adjournment.

Mr. Jones from the committee on the judiciary to whom was referred the House bill entitled,

An act to extend the jurisdiction of the justices of the peace and constables in the town of Washington and township of St. Johns in Franklin county,
Reported it to the Senate without amendment, and recommended its passage.
The report was agreed to and the bill read a third time and passed.
Mr. Hancock from the committee on claims, to whom was referred,
The bill entitled,

An act for the relief of of R. R. Jefferson, and M. L. Jefferson and others,
Reported it to the Senate with amendments, and recommended its passage as amended.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Hancock, also from the same committee, to whom was referred the House bill entitled,

An act for the relief of Robert E. Baker, sheriff of Callaway county, and
An act for the relief of Mason G. Pemberton, late sheriff of Pettis county,
Reported them to the Senate, and recommended their passage.

The report was agreed to, and the accompanying bills were severally read a third time and passed.

Mr. Jones, from the select committee, to whom was referred the petition of Mark Moss, former collector of Jefferson county, reported a bill entitled,

An act for the relief of Mark Moss, sheriff of Jefferson county, (No. 2.)

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time and passed.

Mr. Hudspeth, from the select committee to whom was referred the bill entitled,

An act to regulate fees,

Reported it to the Senate with several amendments, and recommended its passage as amended.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Acock, from the committee of ways and means, to whom was referred the House bill entitled,

An act for the relief of A. B. Tinsley,

Reported it to the Senate and recommended its rejection.

The report was agreed to, and the bill rejected.

On motion of Mr. Reese,

Resolved, That the Auditor of Public Accounts examine the list of bonds placed in the hands of Horsley Rea by A. J. Basye, former commissioner of the Permanent Seat of Government, for which said Rea executed his receipt on the sixth day of February, 1840, and report to the Senate whether any error was committed in the additions of said list, if so, the nature and amount of such error, in whose favor made, and also the true amount for which said Rea should be charged on account of said list, and likewise the true amount for which said A. J. Basye should be credited.

The following bills were on leave severally introduced read a first time, the rule suspended, read a second time considered as engrossed, the rule further suspended, and read a third time and passed.

By Mr. Thompson,

An act particularly to define the boundaries of Atchison and Holt counties.

By Mr. Rawlins,

An act for the relief of George B. Tolson.

By Mr. Miller,

An act to amend the law regulating the treasury department.

Mr. Jones on leave introduced a bill entitled,

An act for the relief of S. W. Wood, sheriff of Franklin county.

Which was read a first time, the rule suspended, read a second time, and referred to the committee on claims.

On motion of Mr. Snyder, Messrs. Fort and Welborn were added to the committee on federal relations.

The President laid before the Senate the report of the inspectors of the penitentiary of their settlement with the Lessees; which was received and read and transmitted to the House of Representatives.

The bill entitled,

An act to construct a State road from Point Pleasant to West Prairie,

Was read a second time, ordered to be engrossed and read a third time, tomorrow.

The bill entitled,

An act for the benefit of Messrs. Gordon, Burch and others,

Was read a third time and passed.

The following House bills were severally read a third time and passed.

An act for the benefit of C. F. and W. D. Marlow, heirs of J. S. Marlow of Lewis county.

An act for the relief of Preston P. Brickly late collector of Washington county.

An act for the relief of Robert M'Cutchen and others.

Message from the House of Representatives by Mr. Lowe, engrossing clerk:

Mr. President:—

The following bills have passed the House of Representatives:

An act for the relief of Robert Wood, of Pulaski county.

An act to prevent certain trespasses in the county of St. Louis.

An act to repeal an act declaring a portion of Spring river a public highway.

An act concerning the State University, supplementary to an act approved March 10th, 1845.

The House of Representatives has rejected the bill entitled,

An act for the relief of Edward Hunting.

The House of Representatives has laid on the table until the 4th of July next the bill entitled,

An act to authorise William Wilson to peddle without license.

The House of Representatives has passed the Senate bill entitled,

An act to define the boundary line of Wayne and Reynolds county.

The House of Representatives has concurred in the amendment of the Senate to the House bill entitled,

An act to provide for the publication and distribution of the laws and journals.

The Speaker has signed the enrolled bills entitled,

An act concerning judgments and decrees.

An act regulating the action of ejectment.

An act to establish a criminal court in the county of St. Louis.

An act to incorporate the liberty institute in Gasconade county.

An act to attach certain territory to Sullivan county for civil and military purposes.

An act to incorporate the Union Literary Society of the Missouri University.

An act for the relief of Mahitable Gardner, alias Schooler.

An act declaring certain county roads a State road, and for reviewing and marking out the same.

An act to incorporate the inhabitants of Georgetown.

An act to legalize the sale of certain school lands in Grundy county.

An act to regulate weights and measures.

An act concerning mortgages.

Whereupon the President of the Senate signed said enrolled bills.

The House bill entitled,

An act for the relief of persons erroneously charged with tax,

Was read a second time.

Mr. Fort moved its indefinite postponement.

On motion of Mr. Massey,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 27.

Absent—Mr. Shelton.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The sergeant at arms was despatched to notify Mr. Shelton, when,

On motion of Mr. Fort, all further proceedings under the call were dispensed with.

The question was then taken on the motion to indefinitely postpone, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Campbell, Ellis, Fort, Gentry, Hancock, Johnson, Massey, Netherton, Polk, Powers, Snell, Snyder, Thompson and Wolfskill—15.

Nays—Messrs. Boggs, Calhoun, Detchemendy, Harris, Hudspeth, Jones, Miller, Mills, O'Bryan, Rawlins, Reese, and Welborn—12.

Absent, Mr. Shelton.

With leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

On motion of Mr. Detchemendy, the House bill entitled,

An act to establish a probate court in Ste. Genéviève county,

Was taken up, read a third time and passed.

On motion of Mr. Boggs, the House bill entitled,

An act for the relief of C. W. McCissick of Holt county,

Was taken up and read a third time and passed.

On motion of Mr. Hudspeth,

The report of the committee of ways and means on the memorial of the county court of Washington county was taken up and read.

Mr. Hudspeth moved to disagree to the report; which was negatived; and so the report was agreed to.

Mr. Hudspeth then, on leave of the Senate, withdrew said memorial.

Mr. Wolfskill on leave of the Senate, withdrew the bill entitled,

An act to establish a State road in Linn and other counties.

On motion of Mr. Acock, the House bill entitled,

An act respecting the Attorney General, Circuit and County Attornies,

Was taken up, and on his further motion, the Senate receded from its second amendment to said bill.

On motion of Mr. Thompson,

The bill entitled,

An act to authorise the people of Buchanan county to remove their seat of justice,

Was taken up and read a third time and passed.

On motion of Mr. Campbell;

The House bill entitled,

An act regulating marriages,

Was taken up, and being under consideration with Mr. Acock's amendment,

Mr. Campbell moved to amend the amendment by inserting the following as section 15:

In all cases of marriage ceremony lawfully performed within five years previous to the passage of this act, and the person performing the same, shall have died without returning a certificate of the same, as by law required, it shall be lawful to supply the place of such return by filing in the clerks office the affidavit required by the 13th section of this act.

Which was read and agreed to, and

On motion of Mr. Acock, the amendments were ordered to be engrossed and the bill as amended to be read a third time.

On motion of Mr. Thompson,

The amendments of the House to the Senate bill entitled,

An act for the relief of Harvey McClure, and

An act for the relief J. D. N. Thompson and William Huston.

Were taken up and concurred in.

The following House bills were severally read a first time, the rule suspended, and read a second and third time and passed.

An act concerning free negroes and mulattoes.

An act supplemental to an act to establish a State road in Scotland county, approved February 27, 1843.

An act to amend the charter of the Little Osage library association.

An act to authorise the Monroe county court to appoint an attorney.

The following House bills were severally read a first time, the rule suspended, read a second time, and referred as follows:

To the committee of ways and means,

An act for the relief of Robert Wood of Pulaski county.

To the select committee consisting of Messrs. Mills, Jones and Hudspeth,

An act to erect a toll bridge across the Merrimac river between St. Louis and Jefferson counties.

To a select committee consisting of Messrs. Hudspeth, Miller, Jones, Shelton, and Netherton,

An act for the benefit of Gasconade county.

To the select committee, to whom was referred a Senate bill on the same subject,

An act concerning the State university, and supplemenal to an act approved March 10, 1845.

The amendments of the House to the Senate bill entitled,

An act to restrain gaming.

Were taken up and agreed to.

The amendments of the House to the Senate bill entitled,

An act to regulate elections,

Were taken up and read

The Senate agreed to the first and third, and disagreed to the second, fourth fifth and sixth amendments of the House to said bill.

Mr. Wolfskill on leave introduced a bill entitled,

An act to improve North Grand river.

Which was read a first time, and ordered to a second reading on to-morrow.

Mr. Fort on leave introduced a bill entitled,

An act supplementary and explanatory of an act respecting the attorney general, circuit and county attornies.

Which was read a first time the rule suspended, read a second time, considered as engrossed, the rule further suspended, and the bill read a third time and passed.

Mr. Jones on leave of the Senate withdrew the bill entitled,

An act to authorise the Secretary of State to purchase certain digests of the decisions of the Supreme court.

Mr. Reese from the committee on the judiciary, to whom was referred the communication of the auditor of public accounts, in reference to the liability of A. J. Basye, on H. Rea, former commissioner of the permanent seat of government, on leave of the Senate, reported a resolution entitled,

Joint resolution of instruction to the attorney general.

Which was read a first time, the rule suspended read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Boggs, from the committee on agriculture, to whom was referred the House bill entitled,

An act to improve the breed of sheep,

Reported it to the Senate, and recommended its rejection.

The report was read and agreed to, and the bill rejected.

The House bill entitled,

An act to regulate executions.

Was read a first time, the rule suspended, and read a second time.

Mr. Fort moved to amend by adding the following at the end of the 10th subdivision of the 11th section.

Provided, nothing in this act shall be so construed as to exempt any property whatever from sale for the payment of taxes now due, or hereafter to become due to this State or any county thereof.

Which was read and agreed to.

Mr. Jones moved to amend by adding the following at the end of the 11th section.

That Doctors of Medicine, in lieu of the property exempt from execution may be allowed to select their medicines at their option.

Which was read and agreed to, when

The rule was suspended, and the bill as amended was read a third time and passed.

Message from the House of Representatives by Mr. Gilpin their clerk :

MR. PRESIDENT:

The House of Representatives has amended the amendment of the Senate to the House resolutions entitled,

Joint resolution authorising the Governor to borrow money.

On motion of Mr. Acock,

The amendment of the House to the Senate's substitute for the House resolution entitled,

Joint resolution authorizing the Governor to borrow money.

Was taken up and read.

On motion of Mr. Hudspeth, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—25.

Absent, Messrs. Ellis and Thompson.

With leave—Messrs. Anderson, Harper and Lucas.

Sick—Messrs. Blythe and O'Bryan.

The sergeant at arms was despatched to notify the absentees, when

On motion of Mr. Polk,

All further proceedings under the call were dispensed with.

On motion of Mr. Rawlins,

The resolution, substitute and amendments were referred to the committee of ways and means, with instructions to so amend the substitute as to borrow the amount of money necessary to pay the interest only, that may be due on the State debt, by the following vote, the yeas and nays being called for and ordered.

Yeas—Messrs. Acock, Detchemendy, Hancock, Harris, Hudspeth, Johnson, Massey, Miller, Mills, Polk, Rawlins, Reese and Snyder—13.

Nays—Messrs. Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Jones, Netherton, Powers, Shelton, Snell, Welborn and Wolfskill—13.

Absent, Mr. Thompson.

Sick, Messrs. Blythe and O'Bryan.

Absent with leave, Messrs. Anderson, Harper and Lucas.

The Senate being equally divided the President gave the casting vote in the affirmative.

On motion of Mr. Reese,

The vote just taken on the reference of the resolution, substitute and amendments to the committee of ways and means was reconsidered by the following vote:

Yeas—Messrs. Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Jones, Massey, Netherton, Powers, Reese, Shelton, Thompson and Welborn—14.

Nays—Messrs. Acock, Harris, Hudspeth, Johnson, Miller, Mills, Polk, Rawlins, Snell, Snyder and Wolfskill—11.

Absent, Messrs. Calhoun and Hancock.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Messrs. Blythe and O'Bryan.

The amendments of the House to the Senate's substitute being under consideration,

Mr. Massey moved to amend the amendment as follows:

Strike out "six" where it occurs in the 1st section of the amendment and insert "eight."

Which was read and rejected.

The question was then taken on agreeing to the amendment of the House and was determined in the negative by the following vote:

Yeas—Messrs. Acock, Boggs, Detchemendy, Ellis, Fort, Hancock, Harris, Hudspeth, Jones, Johnson, Massey, Miller, Netherton, Polk, Powers, Reese, Shelton, Thompson and Welborn—19.

Nays—Messrs. Campbell, Gentry, Mills, Rawlins, Snell, Snyder and Wolfskill—7.

Absent, Mr. Calhoun.

With leave, Messrs. Anderson Harper and Lucas.

Sick, Messrs. Blythe and O'Bryan.

The House bill entitled,

An act to repeal an act declaring a portion of Spring river a public highway,
Was read a first time and ordered to a second reading.

The House bill entitled,

An act to prevent certain trespasses in the county of St. Louis,
Was read a first time, the rule suspended, read a second time and ordered to a third reading on to morrow.

Mr. Snyder from the committee, on enrolled bills reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to establish a criminal court in the county of St. Louis.

An act regulating the action of ejectment.

An act regulating judgments and decrees.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, March 13, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles:

An act to provide for the election of justices of the peace, and to prescribe their powers and duties.

An act for the relief of G. Ewing.

An act amendatory of an act entitled an act to provide for the selection and sale of the lands, granted to this State by act of Congress approved Sept. 4, 1841, approved Feb. 27th, 1843.

An act regulating injunctions.

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, March 14, 1845.

The Senate met pursuant to adjournment.

Mr. Hancock from the committee on claims to whom was referred the House bill entitled,

An act for the benefit of Jacob Cutler,

Reported it to the Senate and recommended its rejection.

The report was read and agreed to, and the bill rejected.

Mr. Hancock, also from the same committee, to whom was referred, the House bill entitled,

An act for the relief of Major M. Johnson,

Reported it to the Senate and recommended its passage.

The report was read and agreed to and the accompanying bill read a third time and passed by the following vote:

Yeas—Messrs. Boggs, Calhoun, Hancock, Hudspeth, Johnson, Jones, Miller, Mills, Netherton, Powers, Rawlins, Snell and Wolfskill—13.

Nays—Messrs. Acock, Campbell, Detchemendy, Fort, Gentry, Harris, Massey, O'Bryan, Polk, Reese, Shelton, Snyder and Welborn—13.

Absent, Mr. Thompson.

Absent, with leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

Excused from voting—Mr. Ellis.

The Senate being equally divided the president gave the casting vote in the affirmative.

Mr. Acock from the committee of ways and means to whom was recommitted the bill entitled,

An act to provide for the redemption of certain State bonds,

Reported to the Senate a new bill as a substitute therefor, of the same title.

Which was read a first time, the rule suspended, and read a second time.

On motion of Mr. Acock, the blank in the bill was filled with eight; and

On motion the rule was suspended, the bill considered as engrossed, and read a third time and passed.

Mr. Campbell, from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act to construct a State road from Point Pleasant to West Prairie,

Also an amendment to the House bill entitled,

An act regulating marriages.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act for the relief of Harvey McClure.

An act to define the boundary line of Wayne and Reynolds counties.

An act for the relief J. D. N. Thompson and William Huston.

An act to prevent frauds and perjuries.

An act establishing a probate court in St. Louis county and for other purposes.

Mr. Jones from the committee on federal relations, to whom was referred the resolution from the House entitled,

Joint resolutions on the subject of the naturalization laws.

Reported them to the Senate without amendment, and recommended its passage.

The report was read.

Mr. Mills moved to disagree to the report, which was determined in the negative by the following vote:

Yeas—Messrs. Calhoun, Harris, Mills, Netherton, O'Bryan and Snell—6.

Nays—Messrs. Acock, Boggs, Detchemendy, Fort, Hancock, Hudspeth, Jones, Massey, Miller, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—18.

Absent, Messrs. Campbell, Ellis, Gentry and Johnson.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

So the report was agreed to, and the resolutions read a third time.

On motion of Mr. Fort,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was—25.

Absent, Messrs. Campbell, Ellis and Johnson.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The sergeant at arms was despatched to notify the absentees, and

On motion of Mr. Welborn,

All further proceedings under the call were dispensed with.

The resolutions being under consideration.

On motion of Mr. Massey,

A division of the question was ordered, and the vote taken separately on each resolution.

The first resolution being under consideration,

Mr. Mills moved to amend by way of ryder as follows:

Strike out in the last line the words "and ought not to be changed."

Which was read, and on motion rejected.

Mr. Massey moved to amend by way of ryder as follows:

Between the words "the" and "naturalization," insert the words "principles of the."

Which was read, and

On motion of Mr. Shelton, rejected by the following vote:

Yeas—Messrs. Boggs, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Jones, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—17.

Nays—Messrs. Acock, Campbell, Calhoun, Gentry, Harris, Massey, Miller, Mills, Netherton and Snell—10.

Absent with leave, Messrs. Anderson, Harper and Lucas.
Sick, Mr. Blythe.

Mr. Campbell moved to amend by way of ryder as follows:
Add the following to the end of the 1st resolution.

Nothing in the above resolution is intended to mean that the naturalization laws as they now are, ought not to be so changed as to prevent all frauds which may take place under them in the mode of administering them, or of obtaining or proving the certificate of citizenship.

Which was read, and objections being made, the question on the rejection of the ryder, was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Polk, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—17.

Nays—Messrs. Campbell, Calhoun, Ellis, Gentry, Harris, Mills, Netherton, O'Bryan, Powers, Rawlins and Snell—11.

Absent with leave, Messrs. Anderson, Harper and Lucas.
Sick, Mr. Blythe.

The question then recurred on the adoption of the resolution and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Miller, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—20.

Nays—Messrs. Campbell, Gentry, Harris, Massey, Mills, Netherton, O'Bryan, and Snell—8.

Absent with leave, Messrs. Anderson, Harper and Lucas.
Sick, Mr. Blythe.

Mr. Campbell moved a call of the House, which was negatived.
Mr. Welborn moved to take the vote on the remaining resolutions jointly.
Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Hancock, Hudspeth, Johnson, Jones, Polk, Powers, Reese, Shelton, Snyder, Welborn and Wolfskill—12.

Nays—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harris, Massey, Miller, Mills, Netherton, O'Bryan, Rawlins and Snell—15.

Absent, Mr. Thompson.
Absent with leave, Messrs. Anderson, Harper and Lucas.
Sick, Mr. Blythe.

The question was then taken on the passage of the second resolution, and

was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—27.

Nays—None.

Absent, Mr. Thompson.

Absent, with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The question was then taken on the passage of the third resolution, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—27.

Nays—None.

Absent—Mr. Thompson.

Absent with leave—Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The question was then taken on the passage of the fourth resolution, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Calhoun, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—21.

Nays.—Messrs. Campbell, Gentry, Harris, Mills, O'Bryan and Snell.—6.

Absent, Mr. Thompson.

With leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The question was then taken on the passage of the fifth resolution, and was determined in the affirmative by the following vote:

Yeas.—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Mills, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—25.

Nays.—Messrs. Harris and Netherton—2.

Absent, Mr. Thompson.

With leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The question was then taken on the passage of the sixth resolution, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Calhoun, Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—19.

Nays—Messrs. Campbell, Ellis, Gentry, Harris, Mills, Netherton, O'Bryan and Snell—8.

Absent, Mr. Thompson.

With leave, Messrs. Anderson Harper and Lucas.

Sick, Mr. Blythe.

The question was then taken on the adoption of the seventh resolution, and resulted affirmatively by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—22.

Nays—Messrs. Gentry, Harris, Mills, O'Bryan and Snell.—5

Absent, Mr. Thompson.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

Message from the House of Representatives, by Mr. Lowe, engrossing clerk.

Mr. President:

The following bills have been introduced in the House of Representatives:

An act to provide for the payment of jurors in St. Louis county.

An act supplementary to an act concerning slaves, approved March 19th, 1835.

An act concerning evidence.

An to provide for the removal of the branch bank from Jackson to Potosi.

The following bills have passed the House of Representatives.

An act to lay out a State road in Pike county.

An act for the relief of William Henry Harrison, a free person of color.

An act to mark out a State road in Perry county.

An act to legalize the acts of the county court of Van Buren county.

An act concerning attornies at law.

An act for the benefit of John H. Fields.

An act amendatory of an act concerning field notes of public surveys, approved Feb. 15th, 1841.

An act to establish an office of commissioner of deeds in the different States of the Union.

An act to establish a State road from Camden to Taylor's ferry on the east fork of North Grand river,

An act to incorporate the trustees of the Lexington Seminary.

An act supplementary to an act to provide for the payment of troops employed in the service of the State.

Joint resolutions in honor of Col. Bennett Riley.

The House of Representatives has rejected the bills entitled,

An act to legalize the marriage contract now existing betwixt John E. Wallace and Deborah his wife.

An act to divorce Nelson Ross and Eliza Jane his wife.

The House of Representatives has amended and passed as amended the Senate bill entitled,

An act to view and mark out a State road from Carrollton to Chillicothe.

The Speaker has signed the enrolled bills entitled,

An act for the speedy recovery of debts due on bonds and notes.

An act concerning patrols.

An act to authorise the Governor of the State of Missouri to borrow money.

An act establishing a probate court in St. Louis county, and for other purposes.

An act to prevent frauds and perjuries.

An act for the relief of J. D. N. Thompson and William Huston.

An act to more properly define the line between the counties of Wayne and Reynolds.

An act for the relief of Harvey M'Clure.

An act to repeal the several acts to encourage the destruction of wolves.

An act explanatory of the several acts organizing new counties, passed by the present General Assembly.

An act for the relief of Hamilton Finney, and Geo. Arrowsmith.

An act to repeal an act to lay out and mark a State road from the Hermann and Port William road in Franklin county, to the St. Louis and Jefferson city State road in St. Louis county, approved Feb. 16, 1843.

An act to authorise the county court of Taney county to borrow the road and canal fund of said county.

An act concerning mills, millers and the rates of toll.

An act concerning dower.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Jones from the committee on federal relations to whom was referred the resolutions from the House entitled,

Joint resolutions in relation to the imprisonment for treason of Gov. T. W. Dorr of Rhode Island.

Reported them to the Senate and recommended their passage.

The report was read.

Mr. Mills moved to disagree to the report.

Which was negatived.

The resolutions were then read a third time.

Mr. Campbell moved a division of the question on the passage of the resolutions, and that the vote be taken separately on each resolution.

The motion was negatived.

Mr. O'Bryan moved to amend as follows by way of rider:

Strike out all after the third resolution.

Which was read, and

On motion of Mr. Shelton, rejected by the following vote:

Yeas—Messrs. Acock, Boggs, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Massey, Miller, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—19.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Mills, Netherton, O'Bryan and Snell—8.

Absent—Mr. Thompson.

Sick, Mr. Blythe.

Absent, with leave, Messrs. Anderson, Harper and Lucas.

The question then recurred on the passage of the resolutions and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Detchemendy, Ellis, Fort, Hancock, Hudspeth,

Johnson, Jones, Massey, Miller, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—20.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Mills, Netherton, O'Bryan, and Snell—8.

Absent with leave, Messrs. Anderson, Harper and Lucas.
Sick, Mr. Blythe.

Mr. Massey asked to be excused from voting on the above question,
Which was refused by the Senate.

Mr. Reese from the committee on the judiciary, to whom was referred the House bill entitled,

An act concerning aliens,

Reported it to the Senate, without amendment and recommended its passage.
The report was read and the accompanying bill read a third time.

Mr. Mills moved to amend by way of ryder as follows:

Strike out the word "gift," wherever it occurs in the bill.

Which was read, and,

On motion of Mr. Shelton, rejected; when,

On motion of Mr. Acock, the bill was laid on the table until the 4th of July next.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Welborn, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—17.

Absent, Messrs. Acock, Boggs, Calhoun, Ellis, Hancock, Hudspeth, O'Bryan, Polk, Powers, Shelton and Snell.

With leave—Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The sergeant at arms was despatched to notify the absentees, when

On motion of Mr. Rawlins,

All further proceedings under the call were dispensed with.

The bill entitled,

An act to improve North Grand river,

Was read a second time, ordered to be engrossed, and read a third time on tomorrow.

The bill entitled,

An act to construct a State road from Point Pleasant to west prairie,

Was read a third time.

Mr. Aceck moved to amend by way of ryder as follows:

Add the following as an additional section:

"Also two hundred thousand dollars to be applied to the improvement of the Osage river."

Which was read, and on motion of Mr. Netherton, rejected by the following vote:

Yeas—Messrs. Calhoun, Detchemendy, Ellis, Fort, Jones, Mills, Netherton, O'Bryan, Polk, Snell, Snyder, Welborn and Wolfskill—13.

Nays—Messrs. Acock, Campbell, Gentry, Harris, Hudspeth, Massey, Miller, Powers and Rawlins—9.

Absent, Messrs. Boggs, Hancock, Johnson, Reese, Shelton and Thompson.
 With leave, Messrs. Anderson, Harper and Lucas.
 Sick, Mr. Blythe.

Mr. Jones moved to amend by way of ryder as follows, to come in as sec. 8.

Sec. 8. And that the sum of \$30,000 be appropriated to the McAdamizing and improving the State road leading from St. Louis to Jefferson city.

Which was read a first time.

Mr. Rawlins moved the indefinite postponement of the bill and ryder, which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Gentry, Johnson, O'Bryan, Rawlins, Snell, and Welborn—8.

Nays—Messrs. Boggs, Calhoun, Detchemendy, Ellis, Fort, Harris, Hudspeth, Jones, Massey, Miller, Mills, Netherton, Polk, Powers, Snyder and Wolfskill—16.

Absent, Messrs. Hancock, Reese, Shelton, and Thompson.
 Absent with leave, Messrs. Anderson, Harper and Lucas.
 Sick, Mr. Blythe.

Objections being made, the question on the rejection of the ryder, was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harris, Johnson, Mills, Netherton, O'Bryan, Polk, Snell, Snyder, Welborn and Wolfskill—16.

Nays—Messrs. Acock, Campbell, Hudspeth, Jones, Massey, Miller, Powers and Rawlins—8.

Absent—Messrs. Hancock, Reese, Shelton and Thompson.
 Sick—Mr. Blythe.
 Absent with leave, Messrs. Anderson, Harper and Lucas.

Mr. Hudspeth moved to amend by way of ryder,
 To come in at the end of the last section:

“And the further sum of ten thousand dollars for the improvement of the Merrimac river.”

Which was read and objections being made, the question on the rejection of the ryder, was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Calhoun, Detchemendy, Ellis, Fort, Gentry, Johnson, Miller, Mills, Netherton, O'Bryan, Snell, Snyder, Welborn and Wolfskill—15.

Nays—Messrs. Acock, Campbell, Harris, Hudspeth, Jones, Massey, Polk, Powers and Rawlins—9.

Absent, Messrs. Hancock, Reese, Shelton and Thompson.
 Absent with leave, Messrs. Anderson, Harper and Lucas.
 Sick, Mr. Blythe.

The question was then taken on the passage of the bill, and was determined in the affirmative.

Yeas—13.—*Nays*—12.

Those who voted in the affirmative are,

Messrs. Boggs, Calhoun, Detchemendy, Ellis, Fort, Harris, Mills, Netherton, Polk, Rawlins, Snyder, Thompson and Wolfskill.

Those who voted in the negative are,
Messrs. Acock, Campbell, Gentry, Hudspeth, Johnson, Jones, Massey, Miller, O'Bryan, Powers, Snell and Welborn.

Absent, Messrs. Hancock, Reese and Shelton.
With leave, Messrs. Anderson, Harper and Lucas.
Sick—Mr. Blythe.

Mr. Mills on leave of the Senate introduced a bill entitled,
An act to declare a certain county road in Camden county a State road.
Which was read a first time the rule suspended, read a second time, considered as engrossed, the rule further suspended, and the bill read a third time and passed.

The House bill entitled,
An act to repeal an act declaring a portion of Spring river a public highway,
Was read a second time.
Mr. Massey moved to amend the bill as follows:
In the 4th line of the 1st section, between the words, "three" and "be," insert the words "east of the range line dividing ranges thirty-one and thirty-two."
Which was read and agreed to, when
The rules were suspended, and the bill as amended was read a third time and passed.

Message from the House of Representatives by Mr. Gilpin their clerk :

MR. PRESIDENT:

The following bills have passed the House of Representatives:
An act to incorporate the Palmyra and Marion City turnpike company.
An act to establish a State road from Geo. Seiber's in Lewis county to John Carson's in Marion county.
An act to enable persons to secure the right of way in certain cases.
The House of Representatives has passed the revised bills entitled,
An act prescribing the time of commencing actions.
An act to establish justices courts and to regulate proceedings therein.
An act amendatory of an act approved Feb. 27, 1843, to provide for the selection and sale of the lands granted to this State by act of Congress, approved Sept. 4th, 1841.
An act to authorise Eunice Kenyon to purchase land.
An act to define the northern boundary line of Wright county.
An act to define the eastern boundary line of Shannon county.
An act to amend the charter of the city of Warsaw.
An act to establish a State road in Wright and other counties.
An act to declare a certain county road in Green and Wright counties a State road.
An act to authorise the change of a water course.
An act concerning the road and canal fund of Andrew county.
The House of Representatives has indefinitely postponed the bill entitled,
An act to establish a State road from Palmyra in Marion, to Paris in Monroe county.
The House of Representatives has amended and passed as amended the Senate bill entitled,
An act to provide for the investigation of the books of the office of the auditor of public accounts,

The House of Representatives has agreed to the amendments of the Senate to the House bills entitled,

An act to authorise Geo. W. Hinkle and W. C. Hinkle to erect a water mill on Big Blue river in Jackson county.

An act concerning notaries public and bank officers.

The House of Representatives has amended the 1st amendment of the Senate to the House bill entitled,

An act amendatory of an act to authorise improvements in the penitentiary approved Feb. 28th, 1843, and an act concerning the government and discipline of the penitentiary, approved Feb. 20th, 1843,

And has agreed to the other amendments of the Senate thereto.

The House of Representatives has adopted the following resolution:

Resolved, by the House of Representatives the Senate, concurring therein:

That the joint committee on new counties be and the same is hereby discharged from any further consideration of petitions and bills referred to them touching the formation and erection of new counties, and that said committee be dissolved.

The House bill entitled,

An act regulating marriages,

Together with the engrossed amendments of the Senate, was read a third time.

On motion of Mr. Fort,

The blank in the bill was filled with fifty cents, when,

The question on the passage of the bill as amended, was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Campbell, Detchemendy, Ellis, Fort, Gentry, Harris, Johnson, Massey, Miller, Mills, Netherton, O'Bryan, Snell, Snyder and Wolfskill—16.

Nays—Messrs. Boggs, Calhoun, Hudspeth, Jones, Polk, Powers, Rawlins, Thompson, and Welborn—9.

Absent, Messrs. Hancock, Reese and Shelton.

Absent, with leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The House bill entitled,

An act to prevent certain trespasses in the county of St. Louis,

Was read a third time and passed by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harris, Miller, Mills, Netherton, O'Bryan, Powers, Snell, Welborn and Wolfskill—15.

Nays—Messrs. Acock, Detchemendy, Hudspeth, Johnson, Jones, Polk, Rawlins, Snyder and Thompson—9.

Absent, Messrs. Hancock, Massey, Reese and Shelton.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

Mr. Ellis from the select committee, to whom was referred the House bill entitled,

An act concerning the State University, and supplementary to an act approved March 10th, 1845.

Reported it to the Senate with amendments, and recommended its passage as amended.

The report and amendments were read and agreed to by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harris, Huds-
peth, Miller, Mills, Netherton, O'Bryan and Snell—13.

Nays—Messrs. Acock, Jones, Massey, Polk, Powers, Rawlins, Shelton, Sny-
der, Thompson, Welborn and Wolfskill—11.

Absent—Messrs. Detchemendy, Hancock, Johnson and Reese.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The question was then taken on the passage of the bill as amended, and was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Ellis, Fort, Gentry, Harris, Huds-
peth, Miller, Mills, Netherton, O'Bryan, Snell and Wolfskill—14.

Nays—Messrs. Acock, Jones, Massey, Polk, Powers, Rawlins, Shelton, Sny-
der, Thompson and Welborn—10.

Absent, Messrs. Detchemendy, Hancock, Johnson and Reese.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

Mr. Ellis moved to amend the title of the bill just passed as follows:

Strike out the whole of the title and insert the following.

An act supplementary to, and explanatory of an act entitled an act to enable the curators of the University of the State of Missouri to borrow money, ap-
proved March 10th 1845.

Which was read and agreed to.

Mr. Jones on leave of the Senate introduced a bill entitled,

An act relating to a digest of the decisions of the Supreme court.

Which was read a first time and on motion of Mr. Massey, rejected.

Mr. Acock, from the committee of ways and means, to whom was referred the House bill entitled,

An act to refund certain money to the county of Van Buren,

Reported it to the Senate with an amendment, and recommended its pas-
sage as amended.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

The President laid before the Senate a communication from the Auditor in answer to a resolution of enquiry adopted by the Senate on yesterday in rela-
tion to the list of bonds placed in the hands of H. Rea by A. J. Basye, former commissioner of the permanent seat of government.

Which was read and laid on the table.

Mr. Mills from the select committee to whom was referred the House bill entitled,

An act to erect a toll bridge across the Merrimac river, between St. Louis and Jefferson counties,

Reported it to the Senate and recommended its passage.

The report was agreed to and the bill read a third time and passed.

On motion, the amendment of the House, to the first amendment of the Sen-
ate to the House bill entitled,

An act amendatory of an act to authorise improvements in the penitentiary

approved Feb. 28th, 1843, and of an act concerning the government and discipline of the penitentiary, approved Feb. 20th, 1843,

Was taken up and concurred in.

The House bill entitled,

An act to lay out a State road in the county of Pike,

Was read a first time, and

On motion of Mr. Welborn, rejected.

The following House bills were severally read a first time, the rule suspended, and read a second time, and ordered to a third reading on to-morrow.

An act to establish a State road in Wright and other counties.

An act for the relief of William Henry Harrison, a free person of color.

The House bill entitled,

An act supplementary to an act to provide for the payment of certain troops employed in the service of the State,

Was read a first time, and

On motion of Mr. Fort, rejected.

The House bill entitled,

An act to establish justices courts and regulate proceedings therein,

Was read a first time, the rule suspended, read a second time, and committed to a committee of the whole.

The following House bills were severally read a first time, and ordered to a second reading.

An act to declare a certain county road in Greene county and Wright county a State road.

An act to define the southern boundary line of Wright county.

The following House bills were severally read a first time, the rule suspended and read a second and third times and passed.

An act to establish a State road from George Seibers in Lewis county, to John Carson's in Marion county.

An act to enable persons to secure the right of way in certain cases.

An act to mark out a State road in Perry county.

An act concerning the road and canal fund of Andrew county.

An act concerning attornies at law.

An act to authorise a change of a certain water course.

An act to attach a portion of Chariton county to Linn county.

An act to authorise Eunice Kenyon to purchase lands.

An act to amend the charter of the city of Warsaw.

An act to define the western boundary of Shannon county.

An act amendatory of an act approved Feb. 27, 1843, to provide for the selection and sale of the lands granted to this State by an act of Congress, approved, Sept. 4, 1841.

Joint resolution in honor of Col. Bennett Reiley.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

SATURDAY MORNING, *March* 15, 1845.

The Senate met pursuant to adjournment.

Mr. Thompson from the committee on the militia to whom was referred the House bill entitled,

An act for the relief of A. W. Jeffries and Lewis C. Frazier,

Reported it to the Senate, and recommended its passage.

The report was received and read, and the accompanying bill read a third time when the question on its passage,

Was determined in the negative.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act concerning corporations.

An act supplementary to an act to provide for the organization, support and government of common schools, approved Feb. 9, 1839.

Mr. Rawlins also from the same committee, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act for the relief of Harvey M'Clure:

An act establishing a probate court in St. Louis county and for other purposes.

An act to prevent frauds and perjuries.

An act for the relief of J. D. N. Thompson and William Huston.

An act more particularly to define the line between the counties of Wayne and Reynolds.

Mr. Acock on his motion, was excused from serving on the committee of apportionment, and Mr. Massey was appointed in his place.

The House bill entitled,

An act to declare a certain county road in Greene and Wright counties a State road,

Was read a second time, the rule suspended, and read a third time and passed.

The House bill entitled,

An act to define the northern boundary line of Wright county,

Was read a second time, and ordered to a third reading on Monday next.

The following House bills were severally read a third time and passed.

An act for the relief of William Henry Harrison, a free person of color.

An act to establish a State road in Wright and other counties.

On motion of Mr. Miller,

The House bill entitled,

An act relative to the district school township 44, in Cole county,

Was taken up and read a third time and passed.

Mr. Campbell from the committee on engrossed bills reported as truly engrossed, a bill entitled,

An act to improve North Grand river.

The following House bills were severally read a first time, the rule suspended, read a second time, and ordered to a third reading on Monday next.

An act to establish an office of commissioner of deeds in the different States of the Union.

An act to establish a State road from Camden to Taylor's ferry on the east fork of North Grand river.

Message from the House of Representatives, by Mr. Gilpin their clerk.

MR. PRESIDENT:

The following bill has been introduced in the House of Representatives:

An act amendatory of an act to encourage agriculture, approved Feb. 6, 1843.

The following bills have passed the House of Representatives.

An act to establish a State road in Lewis county.

An act to amend an act to survey and mark out a State road from McDonald in Barry county, to Perkin's mill in Greene county, thence to Campbell's mill in Polk county, approved Feb. 24, 1843.

An act to change the name of Decatur county.

An act amendatory of an act to define the boundaries of Highland county, approved Feb. 17, 1843.

An act for the benefit of Robert T. McNeill.

An act to pay jurors in Gasconade county.

An act to allow Chas. and Steph. Kibby to keep a mill dam across Platte river.

An act supplementary to an act amendatory of an act to incorporate the Independence fire company approved Feb. 6, 1843.

An act concerning grand and petit jurors.

An act concerning evidence.

The following revised bills have passed the House of Representatives:

An act for opening and repairing public roads and highways.

An act to regulate the sale of 16th sections.

An act to establish and regulate county treasuries.

The House of Representatives has rejected the bills entitled,

An act authorising the Secretary of State to purchase a certain number of copies of the Missouri digest.

An act to abolish certain license laws.

The House of Representatives has also passed a bill entitled,

An act to provide for the time of holding courts in Reynolds county.

The Speaker has signed the enrolled bills entitled,

An act to authorise Geo. W. Hinkle and William C. Hinkle to erect a water mill on Big Blue river in Jackson county.

An act concerning notaries public and bank officers.

An act to vacate a portion of a State road, and to declare a certain county road in Clark county a State road.

An act to change the name of Lucinda G. Grimes.

An act to establish a State road from St. Joseph to Plattsburgh.

An act respecting certain school lands in Pettis county.

An act amendatory of an act to incorporate the Independence fire company, approved Feb. 6, 1843.

An act for the relief of Robert E. Baker, sheriff of Callaway county.

An act to authorise the county court of Franklin county to declare a certain county road a State road.

An act concerning the county surveyor of St. Louis county.

An act to amend an act to establish a corporation in the city of St. Louis, for the purpose of education, approved Feb. 13th, 1833.

An act for the relief of Delila Cartmill.

An act to attach a portion of Polk county to St. Clair county.

An act supplementary to an act to provide for the organization, support and government of common schools, approved Feb. 9, 1839.

An act concerning corporations.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

The following House bills were severally read a first time, the rule suspended, read a second and third times, and passed.

An act to incorporate the trustees of the Lexington Seminary.

An act to legalize the acts of the county court of Van Buren county.

An act for the benefit of John H. Fields.

An act amendatory of an act concerning field notes of public surveys, approved Feb. 15th, 1841.

The House bill entitled,

An act to incorporate the Palmyra and Marion city turnpike company, Was read a first time, the rule suspended, and read a second time.

Mr. Fort moved to amend as follows:

Add as an additional section:

Sec. 17. The stockholders of the company created by this act, shall be liable in their individual capacity for all the debts of the corporation.

Which was read, and the question on agreeing to the amendment was determined in the negative by the following vote:

Yeas.—Messrs. Acock, Calhoun, Fort, Hudspeth, Johnson, Polk, Rawlins, Snyder and Wolfskill—9.

Nays—Messrs. Boggs, Campbell, Detchemendy, Gentry, Harris, Mills, Neth-

erton, O'Bryan, Powers, Reese, Shelton, Snell and Welborn--13.

Absent, Messrs. Ellis, Hancock, Jones, Massey, Miller and Thompson.

Absent, with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The rule was then suspended, and the bill read a third time and passed.

The resolution from the House in relation to the dissolution of the joint committee on new counties,

Was taken up and concurred in.

The revised House bill entitled,

An act prescribing the time of commencing actions,

Was taken up, read a first time, the rule suspended, and read a second and third times and passed.

The amendment of the House to the bill entitled,

An act to provide for the investigation of the books of the office of the Auditor of public accounts.

Were taken up and concurred in.

The amendments of the House to the Senate bill entitled,

An act to view and mark out a State road from Carrollton to Chilicothe in Livingston county.

Were severally taken up and concurred in.

On motion of Mr. Fort,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 24.

Absent, Messrs. Boggs, Jones, Massey and Thompson.

With leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The sergeant at arms was despatched to notify the absentees, when,

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Acock,

The Senate resolved itself into a committee of the whole, Mr. Hudspeth in the chair,

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration a bill entitled,

An act to establish justices courts and regulate proceedings therein,

Had amended the same, agreed to it as amended, and instructed him to report it to the Senate for further action.

Mr. Boggs moved to disagree to so much of the report as amended the bill by striking out the word "three" and inserting "two" in the first section of second article.

Which was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Campbell, Ellis, Gentry, Hudspeth, Netherton, Thompson, and Wolfskill—8.

Nays—Messrs. Acock, Detchemendy, Harris, Johnson, Massey, Miller, Mills, O'Bryan, Polk, Powers, Rawlins, Snell, Snyder, and Welborn—14.

Absent, Messrs. Fort, Hancock, Jones, Reese and Shelton.

With leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The question recurred on agreeing to the report of the committee, and was determined in the affirmative, when

The House bill entitled,

An act to establish justices courts and regulate proceedings therein,
Was read a third time.

Mr. Hudspeth moved to amend by way of ryder as follows:

Strike out the fifth section of the seventh article.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The question recurred on the passage of the bill as amended. and was determined in the affirmative.

The following bills were on leave severally introduced read a first time, the rule suspended, read a second time considered as engrossed, and read a third time and passed.

By Mr. Thompson:

An act explanatory of an act entitled an act for the relief of Abraham Brown.

By Mr. Miller:

An act to lay out a certain State road.

Mr. Shelton on leave introduced a bill entitled,

An act for the improvement of the river Cuivre.

Which was read a first time and ordered to a second reading.

Mr. Rawlins submitted the following:

Resolved, That the House of Representatives be respectfully requested to return to the Senate the bill entitled,

An act to construct a State road from Point Pleasant to west prairie.

On motion of Mr. Netherton,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was—21.

Absent, Messrs. Calhoun, Ellis, Fort, Hancock, Jones, Reese and Shelton.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The sergeant at arms was despatched to notify the absentees, and

On motion of Mr. Netherton,

All further proceedings under the call were dispensed with.

The question was then taken on the adoption of the resolution, and was determined in the negative by the following vote:

Yeas—Messrs. Acock, Gentry, Johnson, Massey, Miller, Powers, Rawlins, Reese, Shelton, Thompson and Welborn—11.

Nays—Messrs. Boggs, Detchemendy, Ellis, Harris, Hudspeth, Mills, Netherton, O'Bryan, Polk, Snyder and Wolfskill—11.

Absent, Messrs. Campbell, Calhoun, Fort, Hancock, Jones and Snell.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The Senate being equally divided the president gave the casting vote in the negative.

Mr. Rawlins moved a call of the House which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Detchemendy, Gentry, Johnson, Polk, Powers, Rawlins, Snyder, Thompson and Welborn—11.

Nays—Messrs. Boggs, Ellis, Harris, Hudspeth, Massey, Miller, Mills, Netherton, O'Bryan, Reese, Shelton and Wolfskill—12.

Absent—Messrs. Calhoun, Fort, Hancock, Jones and Snell.

Absent with leave—Messrs. Anderson, Harper and Lucas.

Sick—Mr. Blythe.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, March 15, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed

bills of the following titles:

An act regulating the action of ejectment.

An act to prevent frauds and perjuries.

An act to define the boundary line of Wayne and Reynolds counties.

An act for the relief of Harvey M'Clure.

An act for the relief J. D. N. Thompson and William Huston.

An act to establish a criminal court in the county of St. Louis.

An act establishing a probate court in St. Louis county and for other purposes.

An act regulating judgments and decrees.

I am very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion, the Senate adjourned, until Monday morning at 9 o'clock.

MONDAY MORNING, March 17, 1845.

The Senate met pursuant to adjournment.

Franklin A. Kounslar, Senator elect from the twentieth Senatorial district, appeared, presented his credentials, was qualified, and took his seat.

Mr. Acock from the committee of ways and means to whom was referred the Senate bill entitled,

An act to authorise the auditor to draw his warrant in favor of the curators of the State University,

Reported it to the Senate and recommended its rejection, for the reason that a bill had passed both Houses on the same subject.

The report was read and agreed to, and the bill rejected.

Mr. Massey, from the select joint committee on apportionment, reported a bill entitled,

An act to apportion representation.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time on to-morrow.

Mr. Ellis moved that the bill be ordered to be printed,

Which was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harris, Mills, O'Bryan, and Snell—10.

Nays—Messrs. Acock, Fort, Hudspeth, Johnson, Jones, Kounslar, Massey, Miller, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—18.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Messrs. Blythe and Hancock,

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act concerning corporations.

An act supplementary to an act to provide for the organization support and government of common schools, approved Feb. 9, 1839.

Mr. Acock, on leave of the Senate, introduced a bill entitled,

An act to improve the navigation of the Osage river from its mouth to Osceola.

Which was read a first time, the rule suspended, read a second time, ordered to be engrossed, and read a third time to-morrow.

Mr. Rawlins submitted the following:

Resolved by the Senate, That the House of Representatives be respectfully requested to return the bill entitled,

An act to construct a State road from Point Pleasant to West Prairie.

Which was read, and

The question on its adoption was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Gentry, Hancock, Jones, Kounslar, Polk, Powers, Rawlins, Shelton, Snell, Thompson and Welborn—13.

Nays—Messrs. Boggs, Calhoun, Detchemendy, Ellis, Fort, Harris, Hudspeth, Johnson, Massey, Miller, Mills, Netherton, O'Bryan, Reese, Snyder and Wolf-skill—16.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

On motion of Mr. Massey, the vote by which the Senate, refused to pass the House bill entitled,

An act for the relief of A. W. Jeffries and Lewis C. Frazer,

Was reconsidered, when

The bill being under consideration, the question on its passage was determined in the affirmative.

The bill entitled,

An act for the improvement of the river Cuivre.

Was read a second time, ordered to be engrossed and read a third time, to-morrow.

The following House bills were severally read a third time and passed.

An act to define the northern boundary line of Wright county.

An act to establish a State road from Camden to Taylor's ferry on the west fork of North Grand river.

An act to establish a State road in Morgan county.

The House bill entitled,

An act to establish an office of commissioner of deeds in the different States of the Union.

Was read a third time, and

On motion of Mr. Hudspeth, laid on the table.

The bill entitled,

An act for the benefit of the securities of James B. Ackman,

Was on motion laid on the table.

Mr. Jones on leave of the Senate introduced a bill entitled,

An act to encourage the publication of a good form book.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, read a third time, and laid on the table until to-morrow.

Mr. Polk on leave introduced a bill entitled,

An act to appropriate money to the improvement of certain rivers.
Which was read a first time, the rule suspended, read a second time, ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Kounslar, the bill entitled,
An act for the benefit of the securities of James B. Ackman,
Was taken up and read a third time.

Mr. Kounslar moved to amend by way of ryder as follows:

Add after the word "books" at the end of the bill the following:

Provided that no delinquent list shall be allowed other than such as might or ought to have been allowed, had such revenue been collected, at the time it ought by law to have been regularly collected.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The bill as amended passed.

Mr. Boggs on leave of the Senate introduced a bill entitled,

An act to abolish imprisonment for debt.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The question on its passage was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Gentry, Hancock, Hudspeth, Johnson, Jones, Kounslar, Miller, Mills, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Thompson and Wolfskill—21.

Nays—Messrs. Fort, Massey, O'Bryan Snell, Snyder and Welborn—6.

Absent, Mr. Harris.

With leave, Messrs. Anderson Harper and Lucas.

Sick, Mr. Blythe.

Message from the House of Representatives, by Mr. Gilpin, their clerk:

Mr. President:

The following bills have been introduced in the House of Representatives:

An act supplementary to an act to lease the penitentiary.

An act to fix the salaries of registers and receivers of the lands offices of the State.

The following bills have passed the House of Representatives.

An act for the relief of John Johnson of Chariton county.

An act for the relief of Lewis Menfry.

An act to establish a State road from Gallatin through the county seat of De Kalb to St. Joseph's.

An act to incorporate the town of Lagrange in Lewis county.

An act for the benefit of Robert A. Raphael.

An act in relation to Knox county.

An act for the benefit of Polk county.

An act to authorise the Secretary of State to distribute certain volumes of the decisions of the supreme court.

An act for the distribution of the proceeds of the sales of the 500,000 acres of land donated to this State by the Congress of the United States.

The following revised bills have passed the House of Representatives:

An act concerning Voluntary assignments.

An act concerning grand and petit jurors.

An act to establish courts of record and to prescribe their powers and duties.

An act to prevent illegal banking, and the circulation of depreciated paper currency within the limits of this State.

The House of Representatives has rejected the bill entitled,

An act to provide for the removal of the branch bank from Jackson to Potosi.

The House of Representatives has passed the Senate bills entitled,

An act for the relief of George B. Tolson.

An act relative to common schools in Howard county.

The House of Representatives has concurred in the amendments of the Senate to the House bills entitled,

An act relative to a State road in Franklin county, established by an act approved Feb. 1st, 1839.

An act to change a portion of a State road leading from St. Louis to Springfield in Greene county.

The Speaker has signed the enrolled bills entitled,

An act to establish a probate court in Ste. Genevieve county,

An act amendatory of an act to authorise improvements in the penitentiary, approved Feb. 28th, 1843, and of an act concerning the government and discipline of the penitentiary, approved Feb. 20th, 1843.

An act to establish a State road in Sullivan and Putnam counties.

An act for the relief of Richard D. Austin and W. K. Vanarsdale of Monroe county.

An act for securing liens to mechanics and others.

An act for the relief of Mason G. Pemberton late sheriff of Pettis county.

An act to incorporate the Hannibal library institute.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

On motion of Mr. Fort, the resolution entitled,

Joint resolution in relation to the appointment of a committee to examine into the appropriations for building the capitol and the expenditures for that purpose,

Was taken up and read a third time.

Mr. Massey moved to amend by way of ryder as follows:

Strike out from the word "the" to the word "representatives," in the first resolution, and insert "present General Assembly."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when,

On motion of Mr. Rawlins the resolution and amendment were referred to a select committee consisting of Messrs. Campbell, Massey and Snyder.

The engrossed bill entitled,

An act to provide for the improvement of North Grand river,

Was read a third time.

Mr. Wolfskill moved to amend by way of ryder as follows:

In 3rd section and 4th line, strike out "or commissioners," and in 5th and 6th lines, same section "by the General Assembly or."

Add to the bill the following sections:

Sec. 4. The Governor shall appoint some suitable person as commissioner whose duty shall be to take charge of and supervise the improvement herein contemplated, and said commissioner shall give bond with good and sufficient security in double the amount of money to be paid to him, conditioned that he will faithfully and truly apply all money and property which may come into his hands, according to the provisions of this act, and before entering on the duties of his office he shall take an oath for the honest and faithful performance of all the duties herein required.

Sec. 5. Said commissioner shall form such a plan of improvement as shall be deemed best calculated to render the appropriation permanently useful and beneficial; and he shall execute said plan by letting the work to the lowest bid-

der, or by hiring hands to be employed under his own supervision as may be deemed most advantageous to the State.

Sec. 6. Said commissioner shall keep a correct and accurate account of all his proceedings and expenditures with proper vouchers, and at the end of every year, shall make a full report to the Auditor of public accounts, who shall file said reports for inspection at the final settlement with said commissioner.

Sec. 7. Whenever the Auditor of public accounts shall be satisfied that such sales, shall have been made as provided in the 1st section of this act, he shall draw his warrant for the sum of ten thousand dollars in favor of such commissioner as shall be appointed under this act, and on the application of said commissioner shall draw in his favor his warrant for such other sums as the amount of sales at said land office at Chilicothe, shall be sufficient to meet, provided all such warrants shall not exceed in amount the sum of twenty thousand dollars.

Sec. 8. When said improvements shall have been completed, or the appropriation herein made, exhausted, said commissioner shall make a full and final settlement, according to his satisfactory vouchers with the Auditor of public accounts.

Sec. 9. Said commissioner shall receive as full compensation for his services, two dollars for each day, he shall be employed in carrying out the provisions of this act.

Sec. 10. The Governor for just cause may remove said commissioner and supply his place by appointment as before.

Which was read a first time, the rules suspended, read a second time, considered as engrossed, and read a third time.

Mr. Thompson moved to lay the bill and ryder on the table.

Which was negatived.

On motion of Mr. Ellis, the bill and amendments were laid on the table till 3 o'clock this evening.

The following House bills were severally read a first time, the rule suspended, read a second time and laid on the table.

An act to pay jurors in Gasconade county.

An act for the benefit of Polk county.

An act to authorise the Secretary of State to distribute certain volumes of the decisions of the Supreme court.

The following House bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act in relation to Knox county,

An act to establish a State road from Gallatin through the county seat of De Kalb to St. Joseph,

Ordered to a third reading on to-morrow.

An act for the relief of Lewis Menfry,

Referred to the committee on claims.

An act concerning grand and petit jurors,

Referred to the committee on the judiciary.

The following House bills were severally read a first time, the rule suspended, read a second and third times, and passed.

An act to amend an act to survey and mark out a State road from McDonald in Barry county, to Perkin's mill in Greene county, thence to Campbell's mill in Polk county, approved Feb. 21, 1843.

An act to change the name of Decatur county.

An act to allow Charles and Stephen Kibby to keep a mill dam across Platte river.

An act supplementary to an act amendatory of an act to incorporate the Independence fire company approved Feb. 6, 1843.

An act concerning evidence.

An act to provide for the time of holding courts in Reynolds county.

An act to incorporate the town of Lagrange in Lewis county.

An act for the benefit of Robert A. Raphael.

An act for the relief of John Johnson in Chariton county.

An act to establish a State road in Lewis county.

An act amendatory of an act to define the boundaries of Highland county, approved Feb. 17, 1843.

An act for the benefit of Robert T. McNeill.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Jewel, a member:

Mr. PRESIDENT:—

The House of Representatives has agreed to the amendments of the Senate to the House bill entitled,

An act concerning the State University, and supplementary to an act approved March 10th, 1845.

The Speaker of the House of Representatives has signed the enrolled bill entitled,

An act concerning attorneys at law.

Whereupon the President of the Senate signed the enrolled bill aforesaid.

The following House bills were severally read a first time, the rule suspended and read a second time, and disposed of as follows:

An act to prevent illegal banking and the circulation of depreciated paper currency within the limits of this State,

Referred to a select committee consisting of Messrs. Massey, Hudspeth, Shelton, Welborn and Fort.

An act to regulate the sale of 16th sections,

Referred to a select committee consisting of Messrs. Jones, Massey and Boggs.

An act to establish and regulate county treasuries,

Ordered to a third reading to morrow.

On motion of Mr. Fort,

The Senate went into executive session, and after some time spent therein, resumed its business.

The following House bills were severally read a first time, the rule suspended, and read a second and third times and passed.

An act concerning voluntary assignments.

An act for opening and repairing public roads and highways.

The House bill entitled,

An act concerning grand and petit jurors,

Was read a first time, the rule suspended, and read a second time.

Mr. Miller moved to refer it to the committee on the judiciary,

Which was negatived, when,

On motion, the bill was referred to a select committee consisting of Messrs. Jones, Campbell and Reese.

The House bill entitled,

An act to establish courts of record and to prescribe their powers and duties,

Was read a first time, the rule suspended, and read a second time, and ordered to a third reading on to-morrow.

The House bill entitled,

An act for the distribution of the proceeds of the sales of the 500,000 acres of land donated to this State, by the Congress of the United States,

Was read a first time.

Mr. Campbell moved its indefinite postponement,
Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Campbell, Ellis, Gentry, Kounslar, Miller, Mills, Powers and Wolfskill—9.

Nays—Messrs. Boggs, Detchemendy, Fort, Hancock, Harper, Harris, Huds-
peth, Jones, Massey, Netherton, O'Bryan, Polk, Rawlins, Shelton, Snell, Snyder,
Thompson and Welborn—18.

Absent, Messrs. Calhoun, Johnson and Reese.
With leave, Messrs. Anderson and Lucas.
Sick, Mr. Blythe.

Mr. Shelton moved to suspend the rules and that the bill be read a second time now.

Which was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Detchemendy, Fort, Hancock, Harper, Harris, Huds-
peth, Jones, Massey, Netherton, O'Bryan, Polk, Rawlins, Shelton, Snell, Sny-
der and Welborn—17.

Nays—Messrs. Acock, Campbell, Ellis, Gentry, Kounslar, Miller, Mills, Pow-
ers, Thompson and Wolfskill—10.

—Absent, Messrs. Calhoun, Johnson and Reese.
Absent with leave, Messrs. Anderson and Lucas.
Sick, Mr. Blythe.

The bill was ordered to a second reading.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING *March*, 18, 1845.

The Senate met pursuant to adjournment.

Mr. O'Bryan presented the petition of sundry citizens of Cooper county in relation to a State road, which was referred to a select committee consisting of Messrs. O'Bryan, Miller and Powers.

Mr. Welborn from the committee on education to whom was referred the House bill entitled,

An act to provide for the organization, support and government of common schools.

Reported it to the Senate, and recommended its reference to a committee of the whole.

The report was read and agreed to and the bill so referred.

Mr. Acock, from the committee of ways and means, to whom was referred the bill entitled,

An act to tax and regulate foreign insurance agencies in this State,

Also, a memorial and remonstrance, on the same subject from the citizens of St. Louis; reported a new bill as a substitute therefor, entitled,

An act to license and regulate agencies of foreign insurance companies.

Which was read a first time the rule suspended, read a second time, ordered to be engrossed, and read a third time to-morrow.

Mr. Mills moved to suspend the rules and that the bill be read a third time now.

Which was negatived.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act relative to common schools in Howard county.

An act to restrain gaming.

An act to provide for a thorough investigation of the books in the office of the Auditor of public accounts, and for other purposes.

An act for the relief of Geo. B. Tolson.

An act to view and mark out a State road from Carrollton in Carroll county, to Chilicothe in Livingston county.

An act explanatory of, and supplementary to an act for the relief of Abraham Brown, approved Feb. 27, 1845.

Mr. Hancock from the committee on claims, to whom was referred,

The House bill entitled,

An act for the relief of W. Z. Angney and others.

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendment were read and agreed to, and the bill as amended was read a third time and passed.

Message from the House of Representatives by Mr. Ballou, a member.

MR. PRESIDENT:

The following bill has been introduced in the House of Representatives:

An act respecting the collectors of the revenue in Ripley county.

The following bills have passed the House of Representatives:

An act supplementary to an act to establish a State road from Boonville to Georgetown.

An act for the relief of Peter M'Clain and others.

An act to incorporate the Nebraska Lodge No. 12, of the Independent Order of Odd Fellows of Platte city.

An act for the relief of the sheriff and collector of Grundy county.

An act to amend an act to incorporate the St. Louis and Carondelett rail road approved Feb. 6, 1837.

The House of Representatives has rejected the bills entitled,

An act to alter the limits of Dallas and Hickory counties.

An act for the relief of James M. Gordon.

The following revised bill has passed the House of Representatives:

An act concerning forcible entries and detainers.

The House of Representatives has amended and passed as amended the revised bill from the Senate entitled,

An act to regulate fees.

The House of Representatives has passed the Senate bills entitled,

An act to view and mark out a state road from St. Josephs in Buchanan county to Oregon in Holt county.

An act for the relief of R. R. and M. L. Jefferson and others.

The House of Representatives has amended and passed as amended the Senate bills entitled,

An act explanatory of an act for the relief of Abraham Brown.

Joint resolution of instruction to the attorney general.

The House of Representatives has agreed to the 1st, 2d and 4th, and disagreed to the 3rd amendments of the Senate to the revised bill entitled,

An act to regulate executions.

The House of Representatives recedes from the 2d, and insists on the 4th, 5th

and 6th, House amendments, disagreed to by the Senate to the revised Senate bill entitled,

An act to regulate elections.

The House of Representatives has disagreed to the amendment of the Senate to the revised bill entitled,

An act regulating marriages.

The House of Representatives has adopted the following resolution:

Resolved, by the House of Representatives the Senate, concurring therein:

That the two Houses of this General Assembly adjourn *sine die* on Monday, the 24th instant.

The Speaker has signed the enrolled bills entitled,

An act concerning the State University, and supplementary to an act approved March 10th, 1845.

An act explanatory of, and supplementary to an act for the relief of Abraham Brown, approved Jan. 27, 1845.

An act to view and mark out a State road from Carrollton in Carrol county to Chilicothe in Livingston county.

An act for the relief of George B. Tolson.

An act to provide for a thorough investigation of the books of the office of the Auditor of public accounts, and for other purposes.

An act to restrain gaming.

An act relative to common schools in Howard county.

An act to regulate proceedings in criminal cases.

An act for the relief of C. W. McKissack of Holt county.

An act to define the western boundary of Shannon county.

An act concerning the road and canal fund of Andrew county.

An act to attach a portion of Chariton county to Linn county.

Joint resolutions in honor of Col. Bennett Riley.

An act for the relief of Major M. Johnson.

An act to authorise a change of a certain water course.

An act for the benefit of John H. Fields.

An act supplemental to an act to establish a State road in Scotland county, approved Feb. 27th, 1843.

An act for the benefit of C. F. and W. D. Marlow, heirs of J. S. Marlow, late of Lewis county.

An act to establish a State road from George Seibers in Lewis county, to John Carson's in Marion county.

An act to amend the charter of the city of Warsaw.

An act amendatory of an act approved Feb. 27, 1843, to provide for the selection and sale of the lands granted to this State by an act of Congress, approved, Sept. 4, 1841.

An act to authorise Eunice Kenyon to purchase lands.

Whereupon the President of the Senate signed said enrolled bills.

On motion of Mr. Thompson,

The amendments of the House to the bill entitled,

An act explanatory of an act for the relief of Abraham Brown,

Were taken up and concurred in.

Mr. Hudspeth from the select committee to whom was referred the House bill entitled,

An act for the benefit of Gasconade county.

Reported it to the Senate and recommended its passage.

The report was received and read and the bill was read a third time.

Mr. Miller moved the indefinite postponement of the bill,

Which was negatived.

Mr. Miller then moved to amend by way of ryder as follows:

Strike out all after the enacting clause and insert the following:

Sec. 1. That hereafter the and and canal fund accruing to the counties of Gasconade and Osage, shall be distributed to the county of Gasconade.

Sec. 2. It shall be and hereby is made the duty of the county court of Gasconade county, to make *pro rata* distribution of said fund, when received to the creditors of said fund, growing out of the debts contracted by the county of Gasconade, in opening the State road from the city of St. Louis to the city of Jefferson, by way of Manchester and Union, as provided for by an act of the General Assembly, approved, Feb. 4, 1837.

This act to take effect from its passage.

Which was read a first time, and

On motion of Mr. Hudspeth, rejected by the following vote:

Yeas—Messrs. Detchemendy, Harper, Hudspeth, Jones, Johnson, Massey, Netherton, Polk, Rawlins, Reese, Snell, Snyder and Welborn—13.

Nays—Messrs. Acock, Boggs, Calhoun, Ellis, Harris, Kounslar, Miller, Mills, O'Bryan, Powers and Shelton—11.

Excused from voting, Messrs. Campbell, Gentry and Wolfskill.

Absent, Messrs. Fort and Thompson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Hancock.

Mr. Jones then moved to amend the bill by way of ryder as follows:

Add the following at the end of the 3d section:

"And to be made payable out of the road and canal fund."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

Mr. Jones also moved to amend by way of ryder as follows:

To come in at the end of the bill.

The act providing for the distribution of the road and canal fund, in the counties of Gasconade and Osage, approved Feb. 13, 1841, be and the same is hereby repealed, and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The question on the passage of the bill as amended, was determined in the affirmative by the following vote:

Yeas—Messrs. Detchemendy, Harper, Harris, Hudspeth, Johnson, Jones, Kounslar, Massey, Netherton, Polk, Powers, Rawlins, Reese, Snell, Snyder and Welborn—16.

Nays—Messrs. Acock, Boggs, Calhoun, Ellis, Gentry, Miller, Mills, O'Bryan, Shelton and Wolfskill—10.

Excused from voting, Mr. Campbell.

Absent, Messrs. Fort and Thompson.

Absent, with leave, Messrs. Anderson and Lucas.

Sick—Messrs. Blythe and Hancock.

Mr. Jones from the committee on engrossed bills, reported as truly engrossed, a bill entitled,

An act to apportion representation.

Mr. Massey from the select committee, to whom was referred, the House bill entitled,

An act to prevent illegal banking and the circulation of depreciated paper currency within the limits of this State,

Reported it to the Senate, with sundry amendments and recommended their adoption.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed by the following vote:

Yeas—Messrs. Acock, Boggs, Hudspeth, Kounslar, Massey, Miller, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—15.

Nays—Messrs. Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Mills, Netherton, O'Bryan and Snell—11.

Absent—Messrs. Fort, Johnson and Jones.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Hancock.

On motion of Mr. Boggs,

The Senate went into executive session, and after some time spent therein resumed business, and

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Rawlins from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act explanatory of and supplementary to an act for the relief of Abraham Brown, approved Jan. 27th, 1845.

An act to view and mark out a State road from Carrollton in Carroll county, to Chilicothe in Livingston county.

An act for the relief of George B. Tolson.

An act to provide for a thorough investigation of the books of the office of the Auditor of public accounts, and for other purposes.

An act to restrain gaming.

An act relative to common schools in Howard county.

Mr. Gentry, from the select joint committee on apportionment, made a minority report, which was received, read and laid on the table.

The following bills were on leave severally introduced read a first time, the rule suspended, read a second time considered as engrossed, the rule further suspended, and the bills read a third time and passed.

By Mr. Reese,

An act for the benefit of the collector of Scotland county.

By Mr. Mills,

An act to authorise the county court of St. Louis county to establish a house of correction.

The president laid before the Senate a communication from the Secretary of State, exhibiting the amount of money expended for stationary, for the use of the present General Assembly.

Which was read and laid on the table.

The House bill entitled,

An act for the distribution of the proceeds of the sales of the 500,000 acres of land donated to this State by the Congress of the United States,

Was read a second time.

Mr. Acock moved to amend as follows, to come in at the end of the last section:

Provided said distribution shall not be made among the counties until the following sums are applied as follows, to wit:

For removing obstructions from the Osage river from its mouth to Osceola, the sum of fifty thousand dollars;

For White river ten thousand dollars;

For North Grand river, the sum of twelve thousand dollars;

For the Big Swamp in the south-east part of this State twelve thousand dollars;

For Currant river, five thousand dollars;

For the Merrimac river five thousand dollars;

For the improvement of the main stage route from St. Louis to Jefferson city, seven thousand dollars;

For the improvement of the main stage route from St. Charles to Fulton, seven thousand dollars;

For the improvement of the main road from Boonville to Springfield on the Cold neck route by Warsaw and Bolivar, forty thousand dollars;

For the improvement of a road from Hannibal to Brunswick, ten thousand dollars;

For the improvement of the main stage road from Jefferson city by Boonville and Lexington to Independence, the sum of fifteen thousand dollars;

For the improvement of the main stage road from Fayette to Liberty, fifteen thousand dollars.

The above named sums are hereby appropriated out of said internal improvement fund, and no distribution shall be made, among the counties as directed in this act, until the several sums herein appropriated, shall be first applied as required by this act, then the balance to be apportioned between the several counties as contemplated by the preceding part of this act.

The several sums hereby appropriated shall be systematically and faithfully applied by the superintendents appointed by the Governor, who shall take an oath faithfully to discharge their duties as superintendents, and no money to be drawn from said fund until the labor and services have been performed according to contract. Any one of said superintendents may be discharged and others appointed whenever in the opinion of the Governor, it would be for the interest of the State and the contemplated improvements to do so."

Which was read.

Mr. Boggs moved to amend the amendment by adding the following:

"For the Osage and Marias de Cygnes river, from Osceola, to the western boundary line of the State, through St. Clair and Bates county, the sum of twenty thousand dollars; and for improving the road and bridging the streams on the same leading from Independence in Jackson county, by Harrisonville in Van Buren county to the permanent seat of justice in Bates county, six thousand dollars.

Which was read.

Mr. Snyder moved the indefinite postponement of the amendments.

Mr. Massey moved the previous question on the indefinite postponement.

Which was negatived.

The question was then taken on the indefinite postponement of the amendments, and was determined in the affirmative by the following vote:

Yeas—Messrs. Detchemendy, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Netherton, Polk, Rawlins, Shelton, Snell, Snyder and Welborn—16.

Nays—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Gentry, Kounslar, Miller, Mills, O'Bryan, Powers and Wolfskill—12.

Absent, Messrs. Reese and Thompson.
With leave, Messrs. Anderson and Lucas.
Sick, Mr. Blythe.

Mr. Welborn moved to suspend the rule and that the bill be read a third time now.

On motion of Mr. Massey,
A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 28.

Absent, Messrs. Reese and Thompson.

With leave, Messrs. Anderson and Lucas.

Sick, Mr. Blythe.

The sergeant at arms was despatched to notify the absentees, when,

On motion of Mr. Shelton,

All further proceedings under the call were dispensed with.

The question then recurred on Mr. Welborn's motion to suspend the rules, and was determined in the negative.

Mr. Kounslar moved to amend the bill as follows:

Add the following to the bill:

Sec. 8. So soon as the auditor and treasurer, shall have performed the duties enjoined by the second section of this act, the distributive shares of the counties of Bates, St. Clair, Benton, Dade, Cedar, Polk, Dallas, Camden, Pulas-ki, Wright, Texas, Morgan, Miller, Osage and Cole, shall instead of being cred-ited to said counties as is provided in the 3rd section of this act, the same is hereby set apart, and is hereby appropriated for the improvement of the Osage river, which amount is to be expended in such manner, on said river, as may be hereafter provided by law.

Which was read, and

On motion of Mr. Snyder, indefinitely postponed by the following vote:

Yeas—Messrs. Detchemendy, Fort, Hancock, Harris, Hudspeth, Johnson, Jones, Massey, Netherton, Polk, Rawlins, Reese, Shelton, Snell, Snyder, Thompson and Welborn—17.

Nays—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Kounslar, Miller, Mills, O'Bryan, Powers and Wolfskill—13.

Absent with leave, Messrs. Anderson, and Lucas.
Sick—Mr. Blythe.

The bill was ordered to a third reading.

The bill entitled.

An act to improve North Grand river,

Was read a third time, and

On motion of Mr. Massey, laid on the table till the 4th of July next.

Mr. Wolfskill on leave introduced a bill entitled,

An act to provide for the improvement of North Grand river,

Which was read a first time.

Mr. Wolfskill moved to suspend the rules and that it be read a second time now:

Which was negatived, and

The bill was ordered to a second reading.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, *March, 19, 1845.*

The Senate met pursuant to adjournment.

Mr. Campbell, from the committee on the judiciary, to whom was referred the House bill entitled,

An act to establish courts of record and to prescribe their powers and duties,
Reported it to the Senate with an amendment.

The report and amendment were read.

Mr. Fort moved to recommit the bill to the committee on the judiciary, with instructions to propose an amendment requiring the county court in case of a vacancy to order an election to fill such vacancy for the remainder of the term and requiring the Governor to commission the person elected.

The motion was negatived, the report and amendment agreed to, and

The bill was read a third time and passed as amended.

Mr. Campbell from the committee on engrossed bills reported as truly engrossed, bills entitled,

An act to license and regulate agencies of insurance companies.

An act to improve the navigation of the Osage river from its mouth to Osceola.

An act to provide for the improvement of Cuivre river.

An act to appropriate money to the improvement of certain rivers.

Mr. Jones from the select committee to whom was referred the House bill entitled,

An act to regulate the sale of the 16th sections,

Reported it to the Senate with amendments.

The report and amendments were read.

On motion of Mr. Kounslar,

So much of the report as amended the 6th section of the bill by inserting the word "treasurer," in lieu of the word "clerk," at the end of said section,

Was disagreed to.

Mr. Massey moved to amend the report as follows:

"Strike out the 23d and 24th sections of the bill."

Which was read, and the question on agreeing to the amendments was determined in the negative by the following vote:

Yeas—Messrs. Acock, Hancock, Massey, Powers, Rawlins and Snyder—6.

Nays—Messrs. Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Hudspeth, Johnson, Jones, Mills, Netherton, O'Bryan, Polk, Snell, Welborn and Wolfskill—17.

Excused from voting—Messrs. Kounslar and Reese.

Absent, Messrs. Miller and Thompson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Shelton.

The question was then taken on agreeing to the report, and was determined in the affirmative by the following vote:

Yeas—Messrs. Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harris, Hudspeth, Johnson, Jones, Kounslar, Mills, Netherton, O'Bryan, Polk and Snell—17.

Nays—Messrs. Acock, Boggs, Harper, Massey, Powers, Rawlins, Reese, Snyder, Welborn and Wolfskill—10.

Absent, Messrs. Miller and Thompson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Shelton.

Mr. Boggs moved a reconsideration of the vote by which the Senate refused to agree to Mr. Massey's amendment to the report.

Mr. Fort moved to lay the motion on the table.

Which was negatived.

The question then recurred on the motion to reconsider, and was determined negatively by the following vote:

Yeas—Messrs. Acock, Boggs, Detchemendy, Gentry, Hancock, Harper, Harris, Massey, Mills, Powers, Rawlins, Reese and Snyder—13.

Nays—Messrs. Campbell, Calhoun, Ellis, Fort, Hudspeth, Johnson, Jones, Kounslar, Netherton, O'Bryan, Polk, Snell, Welborn and Wolfskill—14.

Absent, Messrs. Miller and Thompson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Shelton.

The bill as amended was read a third time.

Mr. Jones moved to amend by way of ryder as follows, to come in after the word "clerk" in the last line of the 6th section, "or county treasurer, at the discretion of said court."

Which was read a first time, and

On motion of Mr. Acock, rejected by the following vote:

Yeas.—Messrs. Acock, Campbell, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Johnson, Kounslar, Massey, Netherton, O'Bryan, Powers, Reese, Snell, Welborn and Wolfskill—18.

Nays—Messrs. Boggs, Calhoun, Fort, Hudspeth, Jones, Mills, Polk, Rawlins, and Snyder—9.

Absent, Messrs. Miller and Thompson.

Absent, with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Shelton.

Mr. Massey moved to amend by way of ryder as follows:

"Strike out the 24th section of the bill."

Which was read a first time, and on motion of Mr. Jones, rejected by the following vote:

Yeas—Messrs. Calhoun, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Jones, Kounslar, Miller, Mills, Netherton, O'Bryan, Polk, Snell, Welborn and Wolfskill—16.

Nays—Messrs. Acock, Boggs, Campbell, Gentry, Harper, Harris, Johnson, Massey, Powers, Rawlins, Reese and Snyder—12.

Absent—Mr. Thompson.

Absent, with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Shelton.

The question was then taken on the passage of the bill, and was determined in the affirmative.

Mr. Campbell, from the select committee, to whom was referred the resolution, entitled,

Joint resolution in relation to the appointment of a committee to examine into the appropriations for building the capitol, and the expenditures for that purpose,

Reported to the Senate a new resolution as a substitute therefor, entitled, Joint resolution of instruction to the auditor of public accounts.

The report was read and on motion of Mr. Massey, laid on the table.

On motion of Mr. Miller,

Mr. Kounslar was added to the committee on the judiciary; also, to the select joint committee on judicial circuits.

The following bills were severally introduced, read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read third time and passed.

By Mr. Acock:

An act to authorise the acting sheriff of St. Clair county to report to the county court of said county the sales of certain school lands, made by former sheriff.

By Mr. Fort:

An act to provide for the settlement of the accounts of Abraham McClellan, late treasurer.

Mr. Hancock from the committee on claims, to whom was referred,

The House bill entitled,

An act for the benefit of Jacob Breittenstein.

Reported it to the Senate for further action.

The report was received and read, and the accompanying bill was read a third time, when the question on its passage was determined in the negative.

Mr. Miller on leave of the Senate introduced a bill entitled,

An act for the relief of Reuben Garnett.

Which was read a first time.

Mr. Fort moved its rejection, which was negatived.

The rule was then suspended, and the bill read a second time, and referred to the committee on the judiciary.

On motion of Mr. Reese,

The bill entitled,

An act to encourage the publication of a good form book,

Was taken up, read a third time and passed.

The bill entitled,

An act to provide for the improvement of North Grand river,

Was read a second time, considered as engrossed and ordered to a third reading on to-morrow.

On motion of Mr. Fort,

The vote by which the Senate refused to pass the House bill entitled,

An act to relief of Jacob Breitenstein,

Was reconsidered, and

On motion, the bill was referred to a select committee consisting of Messrs. Mills, Massey and Rawlins.

Mr. Fort moved to adjourn,

Which was negatived.

Message from the House of Representatives by Mr. Ballou, a member.

MR. PRESIDENT:

The following revised bills have passed the House of Representatives.

An act concerning boats and vessels.

An act to regulate practice at law.

The House of Representatives has concurred in the amendments of the Senate to the revised bill from the House entitled,

An act to establish justices courts and to regulate proceedings therein.

The House of Representatives has amended and passed as amended the Senate revised bill entitled,

An act to license and tax merchants.

The House of Representatives has passed the resolution entitled,

Joint resolution in relation to the revised statutes.

The following Senate bill has passed the House of Representatives:

An act to lay out a certain State road.

The Speaker has signed the enrolled bills entitled,

An act to authorise the Monroe county court to appoint an attorney.

An act respecting the attorney general, circuit and county attornies.

An act to regulate the practice in courts of chancery.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT;
CITY OF JEFFERSON, March 19, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles:

An act supplementary to an act to provide for the organization support and government of common schools, approved Feb. 9, 1845.

An act to view and mark out a State road from Carrollton in Carroll county, to Chilicothe in Livingston county.

An act for the relief of Geo. B. Tolson.

An act explanatory of, and supplementary to an act for the relief of Abraham Brown, approved Jan. 27, 1845.

An act to provide for a thorough investigation of the books in the office of the Auditor of public accounts, and for other purposes.

An act relative to common schools in Howard county.

An act to restrain gaming.

An act concerning corporations.

I am very respectfully,

Your ob't. serv't,

JOHN C. EDWARDS.

The engrossed bill entitled,

An act to apportion representation.

Was read a third time.

Mr. Hudspeth moved to amend by way of ryder as follows:

In the 2nd section, 21st line, between the words "Crawford and," insert "Pulaski, Osage and Gasconade;" also strike out all after the word "district," in the 37th line, to the word "the" in the 38th line, in said section, and strike out the word "eighth" in the 39th line, and insert "seventh;" strike out the word "eighth," in the first line of 3d section, and insert "seventh;" strike out the word "eighth" in the first line of the 4th section, and insert "seventh," and in the eighth line of 3d section, after the word "thirteenth," insert "and fifteenth;" in the eleventh line of the 4th section, strike out the word "fifteenth."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

Mr. Gentry moved to amend by way of ryder as follows:

Strike out all after the enacting clause and insert the following:

Sec. 1. In the the fourteenth and fifteenth sessions of the General Assembly there shall be the following apportionment of members in the House of Representatives:

The county of St. Louis shall be entitled to elect four representatives;

The county of Platte shall elect two representatives;

And every other county in the State shall elect one representative.

Sec. 2. In the fourteenth and fifteenth sessions of the General Assembly there shall be the following apportionment of members of the Senate:

The first senatorial district shall be composed of the counties of St. Charles and Lincoln;

The second senatorial district shall be composed of the counties of Pike and Ralls;

The third senatorial district shall be composed of the counties of Marion, Shelby and Knox;

The fourth senatorial district shall be composed of the counties of Callaway and Montgomery;

The fifth senatorial district shall be composed of the counties of Boone and Audrain;

The sixth senatorial district shall be composed of the counties of Howard and Chariton;

The seventh senatorial district shall be composed of the counties of Lewis, Clark, Adair, Scotland and Schuyler;

The ninth senatorial district shall be composed of the counties of Macon, Linn, Grundy, Mercer, Sullivan and Putnam;

The tenth senatorial district shall be composed of the counties of Carroll, Livingston, Caldwell, Daviess and Harrison;

The eleventh senatorial district shall be composed of the counties of Clay and Ray;

The twelfth senatorial district shall be composed of the county of Platte;

The thirteenth senatorial district shall be composed of the counties of Buchanan, Clinton and De Kalb;

The fourteenth senatorial district shall be composed of the counties of Andrew, Holt, Nodaway, Atchison and Gentry;

The fifteenth senatorial district shall be composed of the counties of Cole, Miller and Morgan;

The sixteenth senatorial district shall be composed of the counties of Franklin and Warren;

The seventeenth senatorial district shall be composed of the counties of Washington, Crawford and Jefferson;

The eighteenth senatorial district shall be composed of the counties of St. Francois, Perry and Ste. Genevieve;

The nineteenth senatorial district shall be composed of the counties of Wayne and Cape Girardeau;

The twentieth senatorial district, shall be composed of the counties of Scott, Mississippi, New Madrid, Stoddard and Dunklin;

The twenty-first senatorial district shall be composed of the counties of Madison, Shannon, Texas, Oregon, Ripley, Reynolds and Wright;

The twenty-second senatorial district shall be composed of the counties of Greene, Taney, and Decatur;

The twenty-third senatorial district shall be composed of the counties of Lawrence, Jasper, Newton and Barry;

The twenty-fourth senatorial district shall be composed of the counties of Polk, Hickory, Camden and Dallas;

The twenty-fifth senatorial district, shall be composed of the counties of St. Clair, Henry, Bates, Cedar and Dade;

The twenty-sixth senatorial district shall be composed of the counties of Jackson and Van Buren;

The twenty-seventh senatorial district shall be composed of the counties of Lafayette and Johnson;

The twenty-eighth senatorial district shall be composed of the counties of Pettis, Benton, and Saline;

The twenty-ninth senatorial district shall be composed of the counties of Cooper and Moniteau;

The thirtieth senatorial district shall be composed of the counties of Osage, Gasconade and Pulaski;

The thirty-first senatorial district shall be composed of the county of St. Louis.

Sec. 3. There shall be three senators elected in the thirty-first district, and one senator from each other district.

Sec. 4. The second, third, fourth, fifth, seventh, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, twentieth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-eighth, and thirtieth districts, shall each on the first Monday of August in the year 1846, elect one Senator; and the thirty-first senatorial district shall elect two senators; and the first, sixth, eighth, nineteenth, twenty-first, twenty-seventh, twenty-ninth and thirty-first senatorial districts shall each on the first Monday in August, 1848, elect one senator.

This act to take effect and be in force from and after its passage.

Which was read a first time.

Objections being made, the question was pending on the rejection of the rider, when

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Acock, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—19.

Absent, Messrs. Boggs, Detchemendy, Harris, Hudspeth, Johnson, Mills, Netherton, Polk, Thompson and Welborn.

With leave—Messrs. Anderson and Lucas.

Sick—Messrs. Blythe and Shelton.

The sergeant at arms was despatched to notify the absentees, when

On motion of Mr. Massey,

All further proceedings under the call were dispensed with.

The bill entitled,

An act to apportion representation,

Together with the amendments thereto being under consideration,

Mr. Massey moved their reference to a select committee, which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Johnson, Massey, Mills, O'Bryan, Powers, Rawlins and Snell—16.

Nays—Messrs. Fort, Hancock, Hudspeth, Jones, Kounslar, Miller, Polk, Reese, Snyder, Welborn and Wolfskill—11.

Absent, Mr. Thompson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Shelton.

Whereupon the President announced Messrs. Massey, Gentry and Snyder as said select committee.

The engrossed bill entitled,

An act to license and regulate foreign insurance companies,

Was read a third time.

Mr. Fort moved to amend by way of ryder as follows:

To come in as an additional section:

Sec. 13. The insurance companies chartered by the State, and located in the city of St. Louis or elsewhere, shall pay the same tax or license to the State, county and city, as is by this act imposed on foreign agencies, and no more.

Which was read, and

On motion of Mr. Acock, rejected by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harris, Kounslar, Massey, Miller, Mills, Netherton, O'Bryan, Powers, Polk, Rawlins, Reese, Snell, Welborn and Wolfskill—21.

Nays—Messrs. Fort, Harper, Hudspeth, Jones and Snyder—5.

Absent, Messrs. Detchemendy, Johnson and Thompson.

With leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Shelton.

Mr. Fort moved to lay the bill on the table,

Which was negatived.

The question then recurred on the passage of the bill, and was determined in the affirmative.

Mr. Polk submitted the following:

Resolved by the Senate the House of Representatives, concurring therein:

That the two Houses of this General Assembly will go into joint meeting at 2 o'clock P. M. on Thursday the 18th inst., for the purpose of electing a public printer.

Which was read, and

On motion of Mr. Snyder, laid on the table.

The House bill entitled,

An act for the distribution of the proceeds of the sales of the 500,000 acres of land donated to this State, by the Congress of the United States,

Was read a third time.

On motion of Mr. Welborn,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was—27.

Absent, Mr. Johnson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe, Campbell and Shelton.

The sergeant at arms was despatched to notify Mr. Johnson, when

On motion of Mr. Welborn,

All further proceedings under the call were dispensed with.

Mr. Wolfskill moved to amend by way of ryder as follows:

Strike out all of the bill after the word "apart" in the first section of the bill and fifth line, and insert in lieu thereof the following:

"For the use of the internal improvements as contemplated by the constitution of this State.

Which was read and objections being made, the question on the rejection of the ryder, was determined in the affirmative by the following vote:

Yeas—Messrs. Detchemendy, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Netherton, Polk, Rawlins, Reese, Snell, Snyder, Thompson and Welborn—17.

Nays—Messrs. Acock, Boggs, Calhoun, Ellis, Gentry, Kounslar, Miller, Mills, O'Bryan, Powers and Wolfskill—11.

Absent with leave, Messrs. Anderson and Lucas.
Sick, Messrs. Blythe, Campbell and Shelton.

Mr. Acock moved to amend by way of ryder, to come in as an additional section, as follows:

One hundred thousand dollars shall be appropriated and set apart for the improvement of the Osage river, before distribution is made as contemplated by this act, to be applied under the direction of the Governor of this State.

Which was read a first time, and objections being made, the question on the rejection of the ryder was determined in the negative by the following vote:

Yeas—Messrs. Detchemendy, Fort, Harper, Harris, Hudspeth, Johnson, Jones, Netherton, O'Bryan, Polk, Reese, Snyder and Welborn—13.

Nays—Messrs. Acock, Boggs, Calhoun, Ellis, Gentry, Hancock, Kounslar, Massey, Miller, Mills, Powers, Rawlins, Snell, Thompson and Wolfskill—15.

Absent with leave, Messrs. Anderson and Lucas.
Sick, Messrs. Blythe, Campbell and Shelton.

Mr. Acock moved to suspend the rules, and that the ryder be read a second time now, which was negatived.

Mr. Powers moved to lay it on the table.

Which was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Calhoun, Ellis, Gentry, Hancock, Kounslar, Massey, Miller, Mills, Powers, Rawlins, Snell and Thompson—13.

Nays—Messrs. Acock, Detchemendy, Fort, Harper, Harris, Hudspeth, Johnson, Jones, Netherton, O'Bryan, Polk, Snyder Welborn and Wolfskill—15.

Absent with leave, Messrs. Anderson and Lucas.
Sick, Messrs. Blythe, Campbell and Shelton.

The rule was then suspended, and Mr. Acock's ryder was read a second time.

Mr. Rawlins moved to amend the ryder as follows: to come in as a proviso:

Provided that no county or counties shall be entitled to their distributive share in the remainder of the proceeds which may be unappropriated by this act lying and being within seventy miles of the Osage river.

Which was read.

Mr. Snyder moved the indefinite postponement of the ryder and amendment.

Mr. Mills moved to lay the motion, bill and amendment on the table.

Which was negatived.

The question was then taken on the motion to indefinitely postpone, and was decided in the affirmative by the following vote:

Yeas—Messrs. Calhoun, Detchemendy, Gentry, Harper, Harris, Hudspeth, Johnson, Jones, Netherton, O'Bryan, Polk, Reese, Shelton, Snyder and Welborn—15.

Nays—Messrs. Acock, Boggs, Ellis, Fort, Hancock, Kounslar, Massey, Miller, Mills, Powers, Rawlins Snell, Thompson and Wolfskill—14.

Absent and sick, same as above.

Mr. Kounslar moved to refer the bill to the next General Assembly.
Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Boggs, Ellis, Gentry, Kounslar, Massey, Miller, Mills, Powers, Rawlins and Wolfskill—11.

Nays—Messrs. Calhoun, Detchemendy, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Netherton, O'Bryan, Polk, Reese, Shelton, Snell, Snyder, Thompson and Welborn—18.

With leave, Messrs. Anderson and Lucas.

Sick—Messrs. Blythe and Campbell.

Mr. Wolfskill moved to amend the bill by way of ryder by adding the following as an additional section.

Sec. That twenty thousand dollars of the first money which shall be received of said fund, shall be and the same is hereby appropriated to the improvement of North Grand river.

Which was read and objections being made, the question on the rejection of the ryder, was determined in the affirmative by the following vote:

Yeas—Messrs. Calhoun, Detchemendy, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, O'Bryan, Polk, Shelton, Snell, Snyder, and Welborn—16.

Nays—Messrs. Acock, Boggs, Ellis, Fort, Kounslar, Miller, Mills, Netherton, Powers, Rawlins, Thompson and Wolfskill—12.

Absent—Mr. Reese.

Absent with leave—Messrs. Anderson and Lucas.

Sick—Messrs. Blythe and Campbell.

The question then recurred on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Boggs, Calhoun, Detchemendy, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Netherton, O'Bryan, Polk, Rawlins, Reese, Shelton, Snell, Snyder, Thompson and Welborn—22.

Nays—Messrs. Acock, Ellis, Kounslar, Miller, Mills, Powers and Wolfskill—7.

Absent, with leave, Messrs. Anderson and Lucas.

Sick, Messrs. Blythe and Campbell.

Message from the House of Representatives by Mr. Bay, a member.

MR. PRESIDENT:

The House of Representatives has indefinitely postponed the Senate bill entitled,

An act concerning practice at law.

Mr. Massey from the select committee to whom was referred the bill entitled,
An act to apportion representation,
On leave of the Senate, reported a new bill of the same title, in lieu of the
original bill and amendments.
The bill was read a first time and ordered to a second reading.
On motion the Senate adjourned until to-morrow morning at 9 o'clock.

THURSDAY MORNING, *March 20, 1845.*

The Senate met pursuant to adjournment.
On motion of Mr. Massey,
The regular order of business was passed over, and business from the House
was taken up.
On motion, the 1st, 2d, 3d, 4th, 5th and 6th amendments of the House to the
Senate bill entitled,
An act to regulate fees,
Were agreed to, and the seventh amendment was disagreed to.
On motion, the Senate receded from its disagreement to the third and 6th
amendments of the House to the Senate bill entitled,
An act to regulate elections, and
On motion of Mr. Hudspeth, the Senate insisted on its disagreement to the
fifth amendment of the House to said bill by the following vote:
—*Yeas*—Messrs. Fort, Hancock, Hudspeth, Jones, Kounslar, Massey, Miller,
Polk, Powers, Shelton, Snyder, Thompson, Welborn and Wolfskill—14.
—*Nays*—Messrs. Boggs, Campbell, Calhoun, Gentry, Harper, Harris, Mills,
Netherton, O'Bryan, Rawlins and Snell—11.

Absent—Messrs. Acock, Detchemendy, Ellis, Johnson and Reese.
Absent with leave, Messrs. Anderson and Lucas.
Sick, Mr. Blythe.

On motion of Mr. Netherton,
The Senate insisted on its third amendment to the House bill entitled,
An act to regulate executions, and
On motion the remaining amendments of the Senate, disagreed to by the House
were receded from.
The amendments of the House to the Senate bill entitled,
An act to license and tax merchants,
Were taken up and concurred in.
The amendments of the House to the resolution of the Senate entitled,
Joint resolution of instruction to the attorney general,
Was taken up and concurred in.
On motion of Mr. Acock,
The Senate insisted on its amendments to the House bill entitled,
An act regulating marriages.
On motion of Mr. Rawlins,
The Senate went into executive session, and after some time spent therein
resumed its business.
Mr. Gentry presented the remonstrance of sundry citizens of Monroe county,
against the change of a State road leading from Paris in Monroe county to Pay-
ette in Howard county.

Which was referred to the select committee to whom was referred, a bill on the same subject.

Mr. Jones moved to suspend the rules in order to make a motion to discharge the committee on claims, from the further consideration of a certain bill,

Which was negatived.

Mr. Hancock from the committee on claims, to whom was referred,

The bill entitled,

An act for the relief of S. W. Wood, sheriff of Franklin county,

Reported it to the Senate and recommended its rejection.

The report was read.

Mr. Jones moved to lay it on the table. which was negatived.

When the question on agreeing to the report was determined in the affirmative, and the bill rejected.

Mr. Acock from the committee of ways and means to whom was referred the House bill entitled,

An act for the relief of Josiah Dejarnette,

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendment were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Mills, from the select committee, to whom was referred the House bill entitled,

An act for the benefit of Jacob Breittenstein.

Reported it to the Senate, with an amendment and recommended its passage.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

The bill entitled,

An act to apportion representation,

Was read a second time,

Mr. Hudspeth offered a new bill as a substitute therefor, of the same title. Which was read.

On motion of Mr. Fort,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 26.

Absent, Messrs. Anderson, Johnson, Mills and Shelton.

With leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

The sergeant at arms was despatched to notify the absentees, when,

On motion of Mr. Massey,

All further proceedings under the call were dispensed with.

The question was then taken on the adoption of the substitute and was determined in the affirmative by the following vote:

Yeas.—Messrs. Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Kounslar, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—16.

Nays.—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Massey, Miller, Mills, O'Bryan, and Snell—14.

Absent, with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

On motion, the bill as amended was ordered to be engrossed, and read a third time to-morrow.

On motion of Mr. Boggs,

The vote just taken on ordering the bill as amended to be engrossed and read a third time to-morrow,

Was reconsidered.

Mr. Fort moved to suspend the rules and that the bill be read a third time now. Which was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Netherton, Polk, Powers, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—24.

Nays—Messrs. Campbell, Calhoun, Ellis, Kounslar, O'Bryan and Rawlins—6.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

So the bill as amended was read a third time.

On motion of Mr. Welborn,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was—27.

Absent, Messrs. Acock, Harris and Powers.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

The sergeant at arms was despatched to notify the absentees, and

On motion, all further proceedings under the call were dispensed with.

Mr. Gentry moved to amend by way of ryder as follows:

Strike out the county of Adair, where it occurs in the 11th district, and insert it in the place of Gentry in the 5th district; also add Gentry to the 11th district.

Which was read, and objections being made, the question on its rejection was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Kounslar, Massey, Miller, Netherton, Polk, Powers, Reese, Shelton, Snyder, Welborn and Wolfskill—21.

Nays—Messrs. Boggs, Campbell, Calhoun, Gentry, Harris, Mills, O'Bryan, Rawlins and Snell—9.

Absent, with leave, Mr. Lucas.

Sick—Messrs. Blythe and Thompson.

The question was then taken on the passage of the bill, and was decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Detchemendy, Ellis, Fort, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Kounslar, Massey, Miller, Mills, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—25.

Nays—Messrs. Boggs, Campbell, Calhoun, Gentry and O'Bryan,—5.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

The bill entitled,
 An act to provide for the improvement of North Grand river,
 Was read a third time, when the question on its passage was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Ellis, Fort, Kounslar, Miller, Mills, Netherton, Powers, Rawlins, Shelton and Wolfskill.—13.

Nays—Messrs. Campbell, Calhoun, Detchemendy, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Massey, O'Bryan, Polk, Snell, Snyder and Welborn—16.

Absent, Mr. Reese.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

The engrossed bill entitled,
 An act to improve the navigation of the Osage river from its mouth to Osceola,
 Was read a third time, when the question on its passage was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Ellis, Fort, Hancock, Kounslar, Miller, Mills, Powers, Rawlins and Wolfskill—12.

Nays—Messrs. Campbell, Calhoun, Detchemendy, Gentry, Harper, Harris, Hudspeth, Johnson, Massey, Netherton, O'Bryan, Polk, Reese, Shelton, Snell, Snyder and Welborn—17.

Absent, Mr. Jones.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

On his motion, leave was given to Mr. Wolfskill to withdraw the bill entitled,
 An act to provide for the improvement of North Grand river.

Mr. Wolfskill moved to adjourn, which was negatived.

The engrossed bill entitled,

An act for the improvement of the river Cuivre,

Was, on motion of Mr. Shelton, committed to a committee of the whole.

The following House bills were severally read a third time and passed.

An act in relation to Knox county.

An act to establish a State road from Gallatin through the county seat of De Kalb to St. Joseph.

An act to establish and regulate county treasuries.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ballou a member:

Mr. President:

Representatives: The following bills have been introduced in the House of

An act to incorporate the Jackson mutual fire and marine insurance company of St. Louis.

An act concerning the city of Warsaw.

The House of Representatives has passed the bills entitled,

An act for the benefit of Valentine A. Sublette.

An act to legalize the marriage of Wasley Glazier and Tripley Glazier.

An act to establish a State road from Cape Girardeau to Bloomfield.

An act regulating the fees of the registers and receivers of the State land offices.

An act concerning mill seats on Thompson's fork of North Grand river.

Joint resolution concerning discharged convicts.

An act to provide for the payment of jurors in St. Louis county.

The House of Representatives has rejected the bill entitled,

An act for the relief of Peter Apperson, jr.

The House of Representatives has laid on the table until July 4th, the bill entitled,

An act to establish probate courts.

The following Senate bills have passed the House of Representatives.

An act to provide for electing a public printer.

An act for the relief of John L. Hamilton, collector of Franklin county.

An act to amend an act to incorporate the Boonville academy, approved Jan. 14th, 1835.

An act providing for the appointment of commissioners to take depositions in other States.

An act to declare a certain county road in Camden county a State road.

An act for the benefit of the securities of James B. Ackman.

An act to vacate a certain State road in Gasconade county.

An act concerning Clarisse Williams, a free woman of color.

An act supplementary to the act incorporating the city of Lexington.

The House of Representatives has indefinitely postponed the Senate bill entitled,

An act concerning practice at law.

An act amendatory of an act to concentrate the Supreme court.

The House of Representatives has laid on the table until July 4th next, the Senate bill entitled,

An act more particularly to define the boundary of Atchison and Holt counties.

The House of Representatives has rejected the Senate bill entitled,

An act supplementary to an act to organize the county of Moniteau.

The House of Representatives has agreed to the amendments of the Senate to the bill entitled,

An act to refund certain monies to the county of Van Buren.

The House of Representatives has disagreed to the amendments of the Senate to the House bill entitled,

An act to repeal an act declaring a portion of Spring river a public highway.

The House of Representatives has adopted the following resolution:

Whereas at the revising session of 1834 and '5 the line between the counties of Washington and Crawford was changed through mistake, or otherwise as to include a certain portion of the county of Crawford, within the western part of Washington without the known will, wish or consent of the county of Crawford, therefore,

Resolved by the House of Representatives, the Senate concurring therein:

That the joint committee for the purpose of defining the boundary lines of the several counties within this State be instructed to report a bill establishing the old boundary line between the counties of Washington and Crawford, agree-

able to the revised statute of 1824 and '5 as the permanent boundary line between Washington and Crawford counties.

The Speaker has signed the enrolled bills entitled,

An act to mark out a State road in Perry county.

An act to prevent certain trespasses in St. Louis county.

An act to erect a toll bridge across the Merrimac river.

Joint resolutions in relation to the imprisonment for treason of Gov. Thomas W. Dorr, of Rhode Island.

An act to change the name of Decatur county.

An act for the relief of W. H. Harrison, a free person of color.

An act to provide for the times of holding courts in Reynolds county.

An act to enable persons to secure the right of way in certain cases.

An act to provide for the publication and distribution of the laws and journals.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

On motion of Mr. Kounslar, the House bill entitled,

An act to authorise the Secretary of State to distribute certain volumes of the decisions of the supreme court,

Was taken up and read a third time.

Mr. Kounslar moved to amend by way of ryder as follows:

Strike out the words "county court and" in the fifth line of the 1st section, and at the end of said section insert "Camden, Miller and Pulaski."

Which was read a first time, the rules suspended, and read a second time.

Mr. Jones moved to amend the ryder by adding after the word Pulaski the words "Franklin and Jefferson."

Which was read, and on motion the bill and amendments were referred to a select committee, consisting of Messrs. Jones, Kounslar and Reese.

The resolution from the House in relation to the action of the committee on county boundaries as it regards the line between Washington and Crawford counties, was taken up and concurred in.

On motion of Mr. Polk,

The Senate resolved itself into committee of the whole,

Mr. Boggs in the Chair—

And after some time spent therein, the committee rose and reported through their chairman,

That they had had under consideration bills entitled,

An act to provide for the organization, support and government of common schools, and

An act prescribing the times and place of holding the supreme court and for other purposes.

Had agreed to the same without amendment, and instructed him to report it to the Senate for further action thereon.

The report was agreed to.

The House bill entitled,

An act to provide for the organization, support and government of common schools,

Was read a third time.

Mr. Rawlins moved to amend by way of ryder as follows:

Strike out the 34th and '5th sections of the bill in the 4th article.

Which was read and on motion of Mr. Kounslar, rejected.

Mr. Polk moved to amend by way of ryder as follows:

To come in as an additional section.

That when a settlement with sufficient population to organize a school district and divided by township lines, they may organize a school district, and draw their money in proportion to their children the same as other school districts.

Which was read and rejected.

Mr. Rawlins moved to amend by way of ryder as follows:

In the 8th section strike out all after the word majority in the 3d line and insert "in the township" in lieu thereof.

Which was read and

On motion of Mr. Welborn, rejected by the following vote:

Yeas—Messrs. Boggs, Campbell, Calhoun, Hancock, Harper, Kounslar, Massey, Mills, Netherton, O'Bryan, Shelton and Welborn—12.

Nays—Messrs. Acock, Ellis, Gentry, Harris, Polk, Powers, Rawlins and Snyder—8.

Absent, Messrs. Anderson Detchemendy, Hudspeth, Jones, Reese, Snell and Wolfskill.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

Excused from voting, Mr. Johnson.

The question then recurred on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Johnson, Kounslar, Miller, Mills, Netherton, O'Bryan, Powers, Reese, Shelton, Snyder, Welborn and Wolfskill—21.

Nays—Messrs. Polk and Rawlins—2.

Absent, Messrs. Anderson, Detchemendy, Fort, Hudspeth, Jones, Massey and Snell.

Absent, with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

The bill entitled,

An act to prescribe the times and place of holding the Supreme court and for other purposes,

Was read a third time and passed.

The following House bills were severally read a first time, the rule suspended, read a second time, and referred as follows:

An act for the relief of Peter M'Clain and others,

Referred to the committee on claims.

An act supplementary to an act to establish a State road from Boonville to Georgetown,

Referred to the select committee to whom was referred the petition of sundry citizens of Cooper county on the same subject.

An act to amend an act to incorporate the St. Louis and Carondelett rail road approved Feb. 6, 1837,

Referred to a select committee consisting of Messrs. Mills, Anderson, Jones and Kounslar.

An act regulaitng the fees of registers and receivers of the lands offices of the State,

Referred to a select committee consisting of Messrs. Johnson, Thompson and Welborn.

An act to establish a State road from Cape Girardeau to Bloomfield,

Referred to a select committee consisting of Messrs. Snyder, Netherton and Detchemendy.

An act to provide for the payment of jurors in St. Louis county,

Referred to a select committee consisting of Messrs. Mills, Anderson and Reese.

The following House bills were severally read a first time, the rule suspended, read a second and third times, and passed.

An act concerning boats and vessels.

An act to incorporate the Nebraska Lodge No. 12, of the Independent Order of Odd Fellows of Platte city.

An act for the relief of the sheriff and collector of Grundy county.

An act concerning mill seats on Thompson's Fork, of North Grand river.

An act to legalize the marriage of Wesley Glazier and Tripley Glazier.

An act for the benefit of Valentine A. Sublette.

An act concerning forcible entries and detainers.

Joint resolution concerning discharged convicts.

The resolution from the House entitled,

Joint resolution in relation to the revised statutes,

Was read a first time, the rule suspended, and read a second time.

Mr. Campbell moved to amend by adding the following:

The Secretary shall also omit all references to the decisions of the Supreme court which have been improperly put in the body of the enrolled bills, and spread the same as marginal notes at the bottom of the several pages of the copy, separating the same by black lines, so as to prevent mistakes in the printing and publication.

Which was read and agreed to, when

The rule was suspended and the resolution as amended was read a third time and passed.

The House bill entitled,

An act to regulate practice at law,

Was read a first time, the rule suspended, and read a second and third time.

Mr. Kounsler moved to amend by way of ryder as follows:

Strike out the 20th section of the bill.

Which was read a first time.

Mr. Reese objected.

The question on the rejection of the ryder was determined in the negative.

The rule was then suspended, and the ryder read a second time, considered as engrossed, and read a third time, when,

The question recurred on the passage of the bill, as amended and was determined in the affirmative.

On motion of Mr. Massey,

The Senate receded from its amendments to the House bill entitled,

An act to repeal an act declaring a portion of Spring river a public highway.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY MORNING, *March 21*, 1845.

The Senate met pursuant to adjournment.

Mr. Hancock from the committee on claims to whom was referred the House bill entitled,

An act for the relief of Peter M'Clain, and others,

Reported it to the Senate with an amendment, and recommended its passage.

The report was agreed to, and the bill as amended was read a third time and passed.

Mr. Hancock also from the same committee to whom was referred,

The House bill entitled,

An act for the relief of Lewis Menfry,

Reported it to the Senate, and recommended its passage.

The report was read and the bill read a third time and passed.

Mr. Reese from the committee on the judiciary on the part of the Senate, to whom was referred the bill entitled,

An act to provide for the purchase of a certain claim on the lands selected for the seat of Government,

Reported to the Senate a substitute therefor entitled,

An act to provide for the purchase of the De Lisle claim,

And recommended the adoption of the substitute.

The report and substitute were read.

On motion of Mr. Welborn,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was—29.

Absent, Mr. Boggs.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

The sergeant at arms was despatched to notify Mr. Boggs, when

All further proceedings under the call were dispensed with.

The question was then taken on agreeing to the report and was determined in the negative, by the following vote:

Yeas.—Messrs. Anderson, Campbell, Calhoun, Detchemendy, Ellis, Fort Gentry, Hudspeth, Miller, Mills, Netherton, Reese and Snell—13.

Nays.—Messrs. Acock, Hancock, Harper, Harris, Johnson, Jones, Kounslar, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder, Welborn and Wolfskill—16.

Absent, Mr. Boggs.

Absent, with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

The bill entitled,

An act to provide for the purchase of a certain claim on the lands selected for the seat of government.

Was read a third time and

On motion of Mr. Shelton indefinitely postponed by the following vote:

Yeas.—Messrs. Acock, Hancock, Harper, Harris, Johnson, Jones, Kounslar, Massey, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder Welborn and Wolfskill—16.

Nays.—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hudspeth, Miller, Mills, Netherton, Reese and Snell—14.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

Mr. Acock, from the committee of ways and means, to whom was referred the House bill entitled,

An act for the relief of Robert Wood of Pulaski county,

Reported it to the Senate with amendments, and recommended its passage.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Jones from the select committee, to whom was referred the House bill entitled,

An act to authorise the Secretary of State to distribute certain volumes of the decisions of the Supreme court.

Reported it to the Senate, with an amendment and recommended its passage.

The report and amendments were read and agreed to and the bill as amended was read a third time and passed.

Mr. Shelton from the select committee to whom was referred the petition from the citizens of St. Charles and Lincoln counties respecting a change in a certain State road,

Reported a bill entitled,

An act respecting a State road in St. Charles and Lincoln county,

Which was read a first time and ordered to a second reading.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. President:—

The following revised bill has passed the House of Representatives:

An act to provide for levying, assessing and collecting the revenue.

The following Senate bills have passed the House of Representatives.

An act for the benefit of the collector of Scotland county.

An act to encourage the publication of a good form book,

An act to establish a State road from California to Boonville.

An act to provide for the election of justices of the peace, in the township of St. Louis, in the county of St. Louis.

An act for the benefit of the corporation of the town of Washington, in Franklin county.

An act supplementary to an act to organize the county of Reynolds.

An act to view and mark out a State road from Kirksville to the northern boundary line.

An act to amend the law regulating the treasury department.

An act to further provide for the collection of the revenue of Cole county.

An act to authorise the county court of St. Louis county to establish a house of correction.

An act further to define the duties of the commissioner of the permanent seat of government.

An act (No. 1) for the relief of Mark Moss, sheriff of Jefferson county.

An act (No. 2) for the relief of Mark Moss, sheriff of Jefferson county.

An act declaring a certain county road in Linn county a State road.

An act to close the sales of lots in the city of Jefferson.

An act to incorporate the Palmyra manufacturing company.

An act regulating the interest of money.

An act for the benefit of Messrs. Gordon, Burch and others.

The following bills have passed the House of Representatives.

An act to vacate a State road in Osage county.

An act for the benefit of Mary H. Machett of St. Charles county.

An act for the benefit of township 44, range 13, in Cole county.

An act for the benefit of Isham Willingham.

An act appropriating money for the support of government for the years 1845 and 1846.

The House of Representatives has amended and passed as amended the Senate bills entitled,

An act to apportion representation.

An act to provide for the redemption of certain bonds.

The House of Representatives has agreed to the amendments of the Senate to the House bills entitled,

An act for the benefit of Gasconade county.

An act to prevent illegal banking and the circulation of depreciated paper currency within the limits of this State.

An act to authorise the sheriff of Cole county in certain cases to make deeds for lands sold for taxes.

The House of Representatives has rejected the Senate bills entitled,

An act to incorporate the blacksmith's protective association of St. Louis.

An act to construct a State road from Point Pleasant to west prairie.

The House of Representatives has indefinitely postponed the Senate bill entitled,

An act amendatory of an act to concentrate the Supreme court.

The House of Representatives insists on its disagreement to the amendments of the Senate to the bill entitled,

An act regulating marriages,

And has appointed Messrs. Bay, Kirtley and Hughes a committee of conference thereon to meet such committee as may be appointed by the Senate.

Mr. Mills, from the select committee, to whom was referred, the House bill entitled,

An act to amend an act to incorporate the Carondelet and St. Louis rail road approved Feb. 6, 1837.

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendment were agreed to, and the bill read a third time and passed.

The following bills were on leave severally introduced, read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

By Mr. Johnson:

An act relative to the Heatherly war.

By Mr. Wolfskill:

An act declaring a certain county road in Chariton county a State road.

On motion of Mr. Shelton,

The Senate went into executive session, and after some time spent therein resumed business.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act to provide for the election of justices of the peace in the township of St. Louis and county of St. Louis.

An act to encourage the publication of a good form book.

An act to provide for the election of a public printer.

Mr. Campbell on leave introduced a bill entitled,

An act supplementary to an act to license and tax merchants:

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

Mr. Welborn moved to amend by adding the following by way of rider:

Provided, that it shall not extend to practicing physicians for medicines used in their practice.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The bill as amended, passed.

The following House bills were severally read a first time, the rule suspended, read a second time and referred to the committee of ways and means.

An act to provide for levying, assessing, and collecting the revenue.

An act appropriating money for the support of government for the years 1845 and 1846.

The House bill entitled,

An act to vacate a certain State road in Osage county,

Was read a first time, the rule suspended, read a second time, and laid on the table.

The following House bills were severally read a first time, the rule suspended, and read a second and third times and passed.

An act for the benefit of Mary H. Mochett of St. Charles county.

An act for the benefit of Isham Willingham.

An act for the benefit of township 44, in range 12 in Cole county.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Miller from the select committee to whom was referred the House bill entitled.

An act supplementary to an act to establish a State road from Boonville to Georgetown,

Reported it to the Senate with an amendment.

The report was agreed to, and the bill read a third time and passed as amended.

Mr. Massey submitted the following:

Whereas under the recent contract made by the joint committee on public printing, with Calvin Gunn, it becomes the duty of the Secretary of the Senate to examine the proof sheets of each form published by the printer; and whereas it is a duty which has not heretofore been imposed on that officer, and as no compensation is allowed by law for the labor, therefore,

Resolved by the Senate, That the Secretary of the Senate be allowed the sum of twenty-five dollars, for comparing the proof sheets of the journals of the Senate with the originals and correcting and superintending the publication of the same, to be paid out of the fund appropriated to pay for the contingent expenses of the General Assembly.

Which was read and adopted.

Mr. Thompson from the committee on the militia, reported a bill entitled, An act to regulate, govern and discipline the militia of the State of Missouri.

Which was read a first time, the rule suspended, read a second time, considered as engrossed and ordered to a third reading on to-morrow.

On motion the amendments of the House to the Senate bill entitled,

An act to apportion representation,

Were taken up and read.

On motion of Mr. Snell,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 30.

Absent, Mr. Shelton.

With leave, Mr. Lucas.

Sick, Mr. Blythe.

The door-keeper was despatched to notify Mr. Shelton, when,

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Fort,

The Senate disagreed to the amendments of the House to the Senate bill entitled,

An act to apportion representation,

By the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Ellis, Fort, Hancock, Hudspeth, Johnson, Jones, Kounslar, Massey, Miller, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—23.

Nays—Messrs. Campbell, Calhoun, Gentry, Harper, Harris, Mills, O'Bryan and Snell—8.

Absent with leave, Mr. Lucas.
Sick, Mr. Blythe.

On motion of Mr. Acock,
The Senate disagreed to the amendments of the House to the Senate bill entitled,

An act to provide for the redemption of certain State bonds.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The Speaker has signed the enrolled bills entitled,

An act to change a portion of a State road leading from St. Louis to Springfield in Greene county.

An act amendatory of an act to define the boundaries of Highland county, approved Feb. 17, 1843.

An act to incorporate the trustees of the Lexington Seminary.

An act concerning evidence.

An act for the relief of A. W. Jeffries and Lewis C. Frazier.

An act to legalize the acts of the county court of Van Buren county.

An act to establish a State road in Wright and other counties.

An act relative to the district school township 44, in Cole county.

An act amendatory of an act concerning field notes of public surveys, approved Feb. 15th, 1841.

An act relative to a State road in Franklin county, established by an act approved Feb. 1st, 1839.

An act to establish a State road in Lewis county.

Joint resolutions on the subject of the naturalization laws.

An act to provide for the election of Justices of the peace in the township of St. Louis, in the county of St. Louis.

An act to encourage the publication of a good form book.

An act to provide for electing a public printer.

Whereupon the President of the Senate signed said enrolled bills.

On motion of Mr. Acock.

The committee of conference on the part of the Senate, consisting of Messrs. Acock, Hudspeth and Campbell, to take into consideration the disagreement of the two Houses on the amendment of the Senate to the House bill entitled,

An act regulating marriages,

Was appointed.

Mr. Kounslar on leave, introduced a bill entitled,

An act to amend an act to provide for the call of a convention.

Which was read a first time.

Mr. Boggs objected.

Mr. Boggs moved a call of the House.

Which was negatived.

The question was then taken on the rejection of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Harper, Harris, Johnson, Mills, Netherton, O'Bryan, Rawlins and Snell—14.

Nays—Messrs. Fort, Hancock, Hudspeth, Kounslar, Massey, Miller, Polk,

Powers, Reese Shelton, Snyder, Thompson and Wolfskill—13.

Absent, Messrs. Ellis, Gentry, Jones and Welborn.

Absent with leave, Mr. Lucas.

Sick, Mr. Blythe.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

SATURDAY MORNING, *March 22, 1845.*

The Senate met pursuant to adjournment.

Mr. Rawlins, from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act to further provide for the collection of the revenue of Cole county for the year 1844.

An act to close the sales of lots in the city of Jefferson.

An act further to define the duties of the commissioner of the permanent seat of government.

An act for the benefit of Clarissa Williams, a free woman of color.

An act supplementary to an act passed at the present session of the Legislature incorporating the city of Lexington.

An act for the relief of Mark Moss, former collector of Jefferson county.

An act to vacate a certain State road in Gasconade county.

An act to view and mark out a State road from Kirksville to the northern boundary line.

An act to establish a State road from California in Moniteau county by way of Pisgah to the City of Boonville.

An act to declare a certain county road a State road.

An act to amend an act to incorporate the Boonville academy.

An act for the relief of John L. Hamilton, collector of Franklin county.

An act providing for the appointment of commissioners to take depositions in other States.

An act to lay out a State road.

An act for the benefit of the securities of James B. Ackman.

Resolution of instruction to the attorney general.

An act to authorise the people of Buchanan county to remove their seat of justice.

Mr. Jones from the committee on agriculture to whom was referred the claim of J. Basket, J. L. Bean, and A. Bennett commissioners appointed by the Governor for the purpose of selecting a proper site in the city of St. Louis, on which to erect a tobacco warehouse, made a report thereon,

Which was read and agreed to.

Mr. Jones on leave of the Senate introduced a bill entitled,

An act for the relief of S. W. Wood, sheriff of Crawford county.

Which was read a first time and objections being made by Mr. Acock, the question on its rejection was taken and decided in the affirmative.

The bill entitled,

An act respecting a State road in St. Charles and Lincoln counties,

Was read a second time, ordered to be engrossed and read a third time on Monday next.

The bill entitled,

An act to regulate, govern and discipline the militia of the State of Missouri,

Was read a third time.

Mr. Jones moved to amend by way of ryder as follows:
Strike out the 3rd, 4th and 5th sections of the 10th article.
Which was read a first time.

Mr. Thompson objected.

Mr. Harper moved to lay the bill and ryder on the table.
Which was negatived.

The question was then taken on the rejection of the ryder, and was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Calhoun, Ellis, Gentry, Harper, Harris, Miller, Mills, Polk, Snyder and Wolfskill—11.

Nays—Messrs. Acock, Boggs, Campbell, Detchemendy, Fort, Hancock, Hudspeth, Jones, Kounslar, Massey, Netherton, O'Bryan, Powers, Rawlins, Reese, Snell and Welborn—17.

Absent—Mr. Johnson.

Absent with leave—Mr. Lucas.

Sick—Messrs. Blythe, Shelton and Thompson.

The rule was then suspended, and the ryder read a second and third time.

Mr. Massey moved to amend by way of ryder as follows:

In the 2nd section of the 2nd article after the word companies, in the 2nd line insert "but no election shall be deemed valid unless the candidate for election shall receive a majority of the lawful voters of the company.

Which was read and rejected.

Mr. Massey moved to amend by way of ryder as follows:

In the 2nd line of the 9th section of the 13th article strike out the words "two," and insert "one."

Which was read and objections being made, the question on the rejection of the ryder, was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Calhoun, Detchemendy, Ellis, Harper, Harris, Hudspeth, Kounslar, Miller, Mills, Netherton, and Polk—14.

Nays—Messrs. Campbell, Fort, Hancock, Massey, Jones, O'Bryan, Powers Rawlins, Reese, Snell, Snyder, Welborn and Wolfskill—13.

Absent, Messrs. Gentry and Johnson.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe, Shelton and Thompson.

Mr. Jones moved to amend by way of ryder as follows:

In 2nd section of the 11th article, in the 17th line, strike out from "less," to the word "dollars" and insert "more than fifty cents."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

Mr. Jones also moved to amend by way of ryder as follows:

At the end of the 2nd section of the first article add doctors, mechanics, farmers, lawyers and others, that may be actually employed in their several occupations.

Which was read a first time.

Mr. Polk objected, when,

On motion of Mr. Snyder, it was indefinitely postponed by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Ellis, Fort, Gentry Hancock, Harper, Hudspeth, Kounslar, Miller, Mills, Netherton, O'Bryan, Polk,

Rawlins, Reese, Snell, Snyder, Welborn and Wolfskill—22.

Nays—Messrs. Calhoun, Harris, Jones, Massey and Powers.—5.

Absent—Messrs. Detchemendy and Johnson.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe, Shelton and Thompson.

Mr. Jones moved to amend by way of ryder as follows:

To come in at the end of the bill.

Any person aggrieved by any judgment rendered by a court martial, or by any other court constituted by this act or aggrieved by any fine imposed by said court, or by any proceedings had before said court, may in person or by his agent, make his appeal therefrom to the circuit court of said county where the judgment was rendered, any law to the contrary notwithstanding.

Which was read and

On motion of Mr. Hancock, rejected by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Miller, Mills, Netherton, O'Bryan, Polk, Rawlins, Snell, Snyder and Wolfskill—19.

Nays—Messrs. Fort, Hudspeth, Jones, Kounslar, Massey, Powers, Reese and Welborn—8.

Absent, Messrs. Detchemendy and Johnson.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe, Shelton and Thompson.

The question then recurred on the passage of the bill, and was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Ellis, Gentry, Hancock, Harper, Hudspeth, Kounslar, Miller, Mills, Netherton, Polk, Reese, Snyder and Welborn—16.

Nays—Messrs. Acock, Calhoun, Detchemendy, Fort, Harris, Jones, Massey, O'Bryan, Powers, Rawlins, Snell and Wolfskill—12.

Absent Mr. Johnson.

Absent, with leave, Mr. Lucas.

Sick, Messrs. Blythe, Shelton and Thompson.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act declaring a certain county road a State road.

An act for the benefit of the corporation of the town of Washington, in Franklin county.

An act authorising the Register of Lands to receive of the collector of Scotland county the delinquent list of said county for the year 1843.

An act to amend the law regulating the treasury department.

An act for the relief of Mark Moss, collector of Jefferson county.

An act concerning crimes and their punishments.

An act to license and tax merchants.

An act for the relief of R. R. and M. L. Jefferson and others.

An act to view and mark out a state road from St. Josephs in Buchanan county to Oregon in Holt county.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to provide for the election of justices of the peace, in the township of St. Louis, in the county of St. Louis.

An act to provide for electing a public printer.

An act to encourage the publication of a good form book.

Mr. Miller from the committee on the judiciary, to whom was referred the bill entitled,

An act for the relief of Reuben Garnett,

Reported it to the Senate, and recommended its passage.

The report was agreed to and the bill read a third time and passed.

Message from the House of Representatives, by Mr. Gilpin, their clerk:

Mr. PRESIDENT:—

The following bills have passed the House of Representatives.

An act for the benefit of School township No. 52, in range 27, and for other purposes.

An act for the relief of the collectors for the years 1843 and '44.

An act concerning Sullivan and Harrison counties.

An act for the benefit of the survivors of Messrs. Bast and Talbot of Montgomery county.

An act for the relief of William Stewart of Perry county.

An act to establish a probate court in Dade county.

An act supplementary to an act concerning slaves, approved March 19th, 1835.

An act concerning the revised statutes.

The House of Representatives has rejected the bill entitled,

An act for the benefit of Robert Williams.

The House of Representatives has passed the Senate bills entitled,

An act concerning certain school lands in St. Clair county.

An act to license and regulate agencies of foreign insurance companies.

An act to regulate groceries and dram shops.

The House of Representatives has agreed to the amendments of the Senate to the House bills entitled,

An act for the benefit of Jacob Breittenstein.

An act for the relief of W. Z. Angney and others.

An act to regulate practice at law.

An act to establish courts of record and to prescribe their powers and duties.

The House of Representatives recedes from its disagreement with the Senate to the amendments of the bills entitled,

An act to regulate executions.

An act to regulate fees.

The House of Representatives has disagreed to the amendments of the Senate to the House bills entitled,

An act for the relief of Josiah Dejarnette.

An act to regulate the sale of 16th sections.

The House of Representatives has amended and passed as amended the Senate bills entitled,

An act supplementary to an act entitled an act to lay off the State, into Congressional districts, approved Feb. 21, 1845.

Joint resolutions in relation to the revised statutes.

The House of Representatives insists on its amendments to the Senate bill entitled,

An act to apportion representation.

The House of Representatives has adopted the following resolution:

Resolved by the House of Representatives, the Senate concurring therein:

That the two Houses of the General Assembly will, on Monday, the 24th inst., at 10 o'clock, A. M., meet in joint session in the House of Representatives, for the purpose of electing a Public Printer for the State of Missouri.

The following bills have passed the House of Representatives.

An act to regulate the inspection of Tobacco.

An act for the improvement of the harbor of St. Louis.

An act to amend an act to establish a corporation in the city of St. Louis for the purpose of public education, approved Feb. 13th, 1833.

The House of Representatives has passed the Senate bill entitled,

An act to authorise the people of Buchanan county to remove their seat of justice.

The Speaker has signed the enrolled bills entitled,

An act declaring a certain county road a State road.

An act for the benefit of the town of Washington in Franklin county.

An act for the benefit of the collector of Scotland county.

An act to amend the law regulating the Treasury department.

An act for the relief of Mark Moss, sheriff of Jefferson county.

An act concerning crimes and their punishments.

An act to view and mark out a State road from St. Joseph's in Buchanan county, to Oregon in Holt county.

An act for the relief of R. R. Jefferson, M. L. Jefferson and others.

An act to license and tax merchants.

An act supplementary to an act amendatory of an act to incorporate the Independence fire company, approved Feb. 6th, 1843.

An act regulating conveyances.

An act for the distribution of the proceeds of the sales of the 500,000 acres of land donated to this State by the Congress of the United States.

An act to incorporate the town of Lagrange in Lewis county.

An act to incorporate the Palmyra and Marion city turnpike company.

An act to establish a State road in Morgan county.

An act to refund certain monies to the county of Van Buren.

An act for the relief of John Johnson of Chariton county.

An act to allow Charles and Stephen Kibby to keep a mill dam across Platte river.

An act to amend an act to survey and mark out a State road from McDonald in Barry county, to Perkins's mill in Greene county, and thence to Campbell's mill in Polk county, approved Feb. 24th, 1843.

An act for the benefit of Robert A. Raphael.

An act to establish a State road from Camden to Taylor's ferry on the west fork of North Grand river.

An act for the benefit of Robert T. McNeill.

An act to define the northern boundary line of Wright county.

An act concerning costs.

An act to lay out a State road.

An act to amend an act to incorporate the Boonville academy, approved Jan. 14, 1835.

An act for the relief of John L. Hamilton, collector of Franklin county.

An act providing for the appointment of commissioners to take depositions in other States.

An act for the benefit of the securities of James B. Ackman.

An act to declare a certain county road a State road.

Joint resolution respecting the attorney general.

An act to authorise the people of Buchanan county to remove their seat of justice.

An act to further provide for the collection of the revenue in and for the county of Cole for the year 1844.

An act to close the sales of lots in the City of Jefferson.

An act further to define the duties of the commissioner of the permanent seat of government.

An act for the relief of Clarissa Williams, a free woman of color.

An act supplementary to an act, passed at the present session of the Legislature, incorporating the city of Lexington.

An act for the relief of Mark Moss former collector of Jefferson county.

An act to vacate a certain State road in Gasconade county.

An act to view and mark out a State road from Kirksville to the northern boundary line.

An act to establish a State road from California in Moniteau county by way of Pisgah to the City of Boonville.

Whereupon the aforesaid enrolled bills were signed by the President of the Senate.

Mr. Fort moved that the senate insist on its disagreement to the amendments of the House to the Senate bill entitled,

An act to apportion representation.

On motion of Mr. Welborn,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was—25.

Absent, Messrs. Detchemendy, Harris, Johnson and Massey.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe, Shelton and Thompson.

The sergeant at arms was despatched to notify the absentees, and

On motion, all further proceedings under the call were dispensed with.

Mr. Acock moved to lay the bill and motion on the table,

Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Ellis, Gentry, Harper, Harris, Mills, Netherton, O'Bryan, Powers and Snell—13.

Nays—Messrs. Calhoun, Detchemendy, Fort, Hancock, Hudspeth, Johnson, Jones, Kownslar, Massey, Miller, Polk, Rawlins, Reese, Snyder, Welborn and Wolfskill—16.

Absent, with leave, Mr. Lucas.

Sick—Messrs. Blythe, Shelton and Thompson.

The question was then taken on the motion of Mr. Fort to insist, and was decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Fort, Hancock, Harper, Hudspeth, Johnson, Jones, Kownslar, Massey, Miller, Polk, Rawlins, Reese, Snyder, Welborn and Wolfskill—19.

Nays—Messrs. Campbell, Calhoun, Ellis, Gentry, Harris, Mills, Netherton, O'Bryan Powers and Snell—10.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe, Shelton and Thompson.

On motion of Mr. Fort,

A committee of conference on the part of the senate, consisting of Messrs. Fort, Hudspeth and Welborn was appointed by the President to take into consideration the disagreement of the two Houses relative to amendments of the House to the Senate bill entitled,

An act to apportion representation.

Mr. Calhoun submitted the following:

Whereas the great and essential principles of liberty and free government are exclusively vested in and derived from the people and that they through their representatives have the unalienable right to carry into effect the fundamental principles of equal rights and equal representation, and that any effort on the part of their representatives to suppress the voice of freemen in prohibiting them from having a voice in making the laws, which govern them, is an usurpation of power, not granted in our social compact.

And whereas it is made the duty of the present General Assembly to apportion representation equally, and to lay off the State into separate and distinct senatorial districts, when the same can be made without producing inequality in representation. Therefore,

Resolved by the Senate, That the committee of conference are hereby instructed to form said districts, separate and distinct when the same can be done without prejudice to equal representation.

Which was read, and

On motion of Mr. Snyder laid on the table by the following vote:

Yeas—Messrs. Acock, Anderson, Detchemendy, Fort, Hudspeth, Johnson, Jones, Kownslar, Massey, Miller, Polk, Rawlins Reese, Snyder, Welborn and Wolfskill—16.

Nays—Messrs. Boggs, Campbell, Calhoun, Ellis, Gentry, Harper, Harris, Mills, Netherton and O'Bryan—10.

Absent, Messrs. Powers and Snell.

Sick, Messrs. Blythe, Shelton and Thompson.

Excused from voting, Mr. Hancock.

On motion of Mr. Fort,

The resolution from the House in relation to electing a public printer, was taken up and read.

Mr. Fort moved to amend the resolution as follows:

Add at the end of the resolution, "and a committee of three members, one from the Senate and two from the House of Representatives, to examine the books of the auditor's office in compliance with the provisions of an act on that subject, approved March 19, 1845.

Which was read and adopted, when

The resolution was concurred in as amended.

On motion of Mr. Massey,

The Senate disagreed to the amendments of the House to the Senate bill entitled,

An act supplementary to an act entitled an act to lay off the State into Congressional districts, approved Feb. 21. 1845.

On motion of Mr. Campbell,

The Senate receded from its amendment to the House bill entitled,

An act to regulate the sale of the 16th sections,

By the following vote:

Yeas—Messrs. Acock, Campbell, Hancock, Harper, Hudspeth, Massey, Miller, O'Bryan, Powers, Snell, Snyder and Wolfskill.—12.

Nays—Messrs. Anderson, Boggs, Calhoun, Ellis, Fort, Harris, Jones, Kownslar, Mills, Netherton and Welborn—11.

Absent, Messrs. Detchemendy, Gentry, Johnson, Rawlins, and Reese.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe, Shelton and Thompson.

Excused from voting—Mr. Polk.

On motion of Mr. Harper, the House bill entitled,

An act for the benefit of the survivors of Messrs. Bast and Talbot, of Montgomery county,

Was taken up, read a first time, the rule suspended, and read a second and third times and passed.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

Mr. Acock, from the committee of ways and means, to whom was referred the House bill entitled,

An act for the relief of Peter McLain, and

An act for the relief of Elibu H. Shepherd.

Reported them to the Senate for further action.

On motion the bills were severally read a third time and passed.

Mr. Reese, from the joint select committee appointed to lay off the State into judicial circuits, and fix the time of holding court therein, reported that a bill for that purpose had been reported to the House of Representatives.

The report was read and laid on the table.

The House bill entitled,

An act to establish a probate court in Dade county,

Was read a first time and laid on the table.

The following House bills were severally read a first time, the rule suspended, read a second time, and disposed of as follows:

An act concerning the revised statutes,

Referred to a select committee consisting of Messrs. Massey, Snyder and O'Bryan.

An act for the benefit of school township 52, in range 27, and for other purposes.

Ordered to a third reading on Monday next..

The following House bills were severally read a first time, the rule suspended, read a second and third times, and passed.

An act for the relief of William Stewart of Perry county.

An act for the relief of the collectors for the years 1843 and 1844.

An act concerning Sullivan and Harrison counties.

An act supplementary to an act concerning slaves, approved March 19th, 1845.

An act for the improvement of the harbor of St. Louis.

An act to amend an act to establish a corporation in the city of St. Louis, for the purpose of public education, approved Feb. 13th, 1833.

The House bill entitled,

An act to regulate the inspection of tobacco,

Was read a first time, the rule suspended, and read a second time.

Mr. Jones moved its reference to the tobacco warehouse committee.

Which was negatived.

Mr. Fort moved to suspend the rules and that the bill be read a third time now.

Which was negatived, and,

The bill was ordered to a third reading on Monday next.

On motion, the the Senate disagreed to the amendments of the House to the Senate's amendment to the resolution from the House entitled,
Joint resolution in relation to the revised statutes.

On motion of Mr. Kownslar, the Senate insisted on its amendments to the House bill entitled,

An act for the relief of Josiah De Jarnette.

Mr. Jones from the select committee to whom was referred the House bill entitled,

An act concerning grand and petit jurors,

Reported it to the Senate for further action, and asked to be discharged from the further consideration of the subject.

The report was agreed to, and the accompanying bill was read a third time, when the question on its passage was determined in the negative.

On motion of Mr. Welborn,

Resolved, That the Senate will now proceed to elect a president *pro tempore* for the ensuing two years.

Whereupon the president announced that nominations were in order.

Mr. Welborn nominated Owen Rawlins.

The vote being taken there appeared,

For Mr. Rawlins—24 votes.

Those who voted for Mr. Rawlins are

Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Gentry, Hancock, Harper, Harris, Jones, Kownslar, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Shelton, Snell, Snyder, Welborn and Wolfskill.

Absent, Messrs. Detchemendy, Fort, Hudspeth, Johnson and Reese.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

Excused from voting; Mr. Rawlins.

Mr. Miller on leave introduced a bill entitled,

An act to provide for the sale of lots in the city of Jefferson,

Which was read a first time, the rule suspended, read a second time considered as engrossed, the rule further suspended, and read a third time and passed.

On motion the Senate adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, *March 24*, 1845.

The Senate met pursuant to adjournment.

Mr. Jones from the committee on engrossed bills reported as truly engrossed, a bill entitled,

An act to view and mark out a State road in St. Charles and Lincoln counties.

Mr. Rawlins from the committee on enrolled bills, reported as truly enrolled, bills entitled,

An act for the benefit of John C. Gorden, William S. Burch and others.

An act to authorise the county court of St. Louis county to erect a house of correction.

An act regulating the interest of money.

An act supplementary to an act to organise the county of Reynolds.

An act to incorporate the Palmyra manufacturing company.

An act to regulate groceries and dram shops.

An act to authorise James English and Robert W. Gray, administrators of the estate of John English to make a deed to Reuben Garnett.

Mr. Hancock from the committee on claims, to whom was referred the claims of G. P. Thomas, reported the same back to the senate and asked to be discharged from the further consideration thereof.

The report was read and agreed to, and

On motion of Mr. Miller,

Leave was given to Mr. Thomas to withdraw his papers.

Mr. Detchemendy submitted the following:

Resolved by the Senate the House of Representatives, concurring therein:

That the two Houses of the General Assembly adjourn *sine die*, on Thursday, the 27th inst.

Which was read, and on motion laid on the table.

Mr. Kounslar, on leave, introduced the following bills, which were severally read a first time, the rule suspended, read a second time, considered as engrossed, the rule further suspended, and read a third time and passed.

An act for the relief of William J. Tutt.

An act explanatory of an act supplementary of an act concerning slaves.

Mr. Rawlins submitted the following:

Resolved, That the Senate will not entertain any new business after the 24th inst.

Which was read.

Mr. Boggs moved to lay it on the table, which was negatived by the following vote:

Yeas.—Messrs. Anderson, Boggs, Calhoun, Detchemendy, Ellis, Gentry, Harper, Kownslar, Miller, Netherton, Shelton and Welborn—12.

Nays.—Messrs. Acock, Fort Hancock, Harris, Hudspeth, Jones, Massey, Polk, Powers, Rawlins, Reese, Snell, Snyder, and Wolfskill—14.

Absent, Messrs. Campbell, Johnson, Mills and O'Bryan.

Absent, with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

Mr. Mills moved to amend the resolution by striking out the 24th and inserting the 25th which was negatived, when

The question on the adoption of the resolution was determined in the affirmative.

Mr. Welborn asked and obtained leave of absence for Messrs. Blythe and Johnson.

On motion of Mr. Snyder,

Resolved by the Senate, That the House of Representatives is hereby requested to return the Senate bill entitled,

An act supplementary to an act entitled, an act to lay off the State into congressional districts.

Mr. Acock from the committee of ways and means to whom was referred the House bill entitled,

An act to provide for levying, assessing and collecting the revenue,

Reported it to the Senate with the following amendments:

1. Strike out all after the word "slaves" in the first article of 1st section, and 4th sub-division.

2. Strike out the 7th sub-division in the same article and insert the following: "All horses, mares, geldings, mules, jack-asses, jennetts, and neat cattle."

3. In 3rd line, 11th sub-division, same article strike out all after the word otherwise.

4. In 3rd section, 1st sub-division same article, strike out 25 cents, and insert 50 cents.

5. In 2nd sub division same section, strike out the word "sixth," and insert "fifth."

6. In 7th line 31st section, of 2nd article, strike out the word "twenty" and insert "ten years."

The report and amendments were read.

The question on agreeing to the first amendment being under consideration,

Mr. Boggs moved to amend as follows:

Add the words "over one year old" in lieu of the words stricken out,

Which was read, and the question on agreeing thereto, was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Detchemendy, Hancock, Harris, Jones, Massey, O'Bryan, Polk and Welborn—9.

Nays—Messrs. Acock, Anderson, Campbell, Calhoun, Ellis, Fort, Gentry, Harper, Hudspeth, Kownslar, Miller, Netherton, Powers, Rawlins, Shelton, Snell, Snyder and Wolfskill—18.

Absent, Messrs. Mills and Reese.

Absent with leave, Messrs. Blythe, Lucas and Johnson.

Sick, Mr. Thompson.

The question then recurred on agreeing to the 1st amendment reported, and was decided affirmatively by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Ellis, Fort, Gentry, Hancock, Harper, Hudspeth, Kownslar, Massey, Miller, Netherton, Powers, Polk, Rawlins, Shelton, Snell and Welborn—20.

Nays—Messrs. Detchemendy, Harris, Jones, O'Bryan, Snyder and Wolfskill—6.

Absent, Messrs. Calhoun, Reese and Mills.

Absent with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson.

The question was then taken on agreeing to the 2nd amendment reported, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Ellis, Gentry, Harper, Kownslar, Miller, Netherton, Powers, Shelton, Snell and Welborn—14.

Nays—Messrs. Detchemendy, Fort, Hancock, Harris, Hudspeth, Jones, Massey, O'Bryan, Polk, Rawlins, Snyder, and Wolfskill—12.

Absent, Messrs. Calhoun, Reese and Mills.

Absent with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson.

The question was then taken on agreeing to the third amendment reported, and was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Ellis, Jones, Miller, Mills, O'Bryan, Powers and Snyder—9.

Nays—Messrs. Boggs, Calhoun, Detchemendy Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Kownslar, Massey, Netherton, Polk, Rawlins, Reese, Snell, Welborn and Wolfskill—18.

Absent—Mr. Campbell.

Absent with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson.

The question was then taken on agreeing to the fourth amendment reported, and was determined negatively by the following vote:

Yeas—Messrs. Acock, Anderson, Campbell, Ellis, Gentry, Harper, Harris, Kownslar, Miller, Mills, Netherton, Powers and Snell—13.

Nays—Messrs. Boggs, Calhoun, Detchemendy, Fort, Hancock, Hudspeth, Jones, Massey, O'Bryan, Polk, Rawlins, Reese, Snyder, Welborn and Wolfskill—15.

Absent, with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Messrs. Shelton and Thompson.

The question was then taken on agreeing to the fifth amendment reported, and was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Ellis, Harper, Kownslar, Miller, Powers, Reese, and Welborn—10.

Nays—Messrs. Campbell, Calhoun, Detchemendy, Fort, Gentry, Hancock, Harris, Hudspeth, Jones, Massey, Mills, Netherton, O'Bryan, Polk, Snell, Snyder and Wolfskill—17.

Absent—Mr. Rawlins.

Absent with leave—Messrs. Blythe, Johnson and Lucas.

Sick—Messrs. Shelton and Thompson.

Mr. Massey moved to lay the bill and report on the table.

Which was negatived.

The question was then taken on agreeing to sixth amendment reported, and was determined in the affirmative.

Mr. Massey moved to amend the report as follows:

Add as an additional section,

"All acts and parts of acts inconsistent with this act are repealed after the taking effect of this act except the assessment of the year 1845, which shall be made by virtue of the act now in force.

This act to take effect from and after the first day of June next."

Which was read and agreed to.

The bill was then read a third time as amended.

Mr. Massey moved to adjourn. which was negatived.

Mr. Massey moved to amend by way of ryder as follows:

In the 1st section of the 1st article in the 5th subdivision, between the words "furniture" and "used," insert the words "to include silver and gold plate, kept for use or ornament."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

Mr. Massey also moved to amend by way of ryder as follows:

Strike out the 11th subdivision of the 1st section of the 1st article, and insert as follows:

"All evidences of debt owned by individuals, other than merchants, and bearing interest, whether the same be a bill of exchange, bond or note, all money on hand, and all State warrants."

Which was read, and on motion of Mr. Jones, rejected by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Miller, Mills, Netherton, O'Bryan, Polk, Snell, Snyder and Welborn—20.

Nays—Messrs. Fort, Kownslar, Massey Powers, Rawlins, Shelton and Wolfskill—7.

Absent—Messrs. Anderson and Reese.

Absent with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson

Mr. Acock moved to amend by way of ryder as follows:

Add at the end of the 11th subdivision of the 1st section of the 1st article, the following:

"The said money on hand and State warrnts to be included by the assessor on his lists and returned as money loaned at interest."

Which was read a first time, the rule suspended, and read a second time.

Mr. Fort moved to amend the ryder as follows:

Strike out "and State warrants" wherever those words occur in the 11th subdivision of the 1st section of 1st article.

Which was read and agreed to.

The ryder as amended was then considered as engrossed, the rule suspended and read a third time, when

The question on the passage of the bill, as amended, was determined in the affirmative.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The following bills have been introduced in the House of Representatives:

An act to authorise the Governor of this State to employ counsel to defend Preston Mullineux.

Joint resolution in favor of Geo. C. Bingham.

The following bills have passed the House of Representatives.

An act to provide for the election and compensation of a commissioner to superintend the printing of the revised laws.

An act concerning the penitentiary.

An act to authorise the repayment of taxes improperly paid.

An act supplementary to an act to lease the penitentiary.

An act to create an additional election precinct in Platte county.

An act to legalize the erection of a mill dam on Little sugar creek in Newton county.

An act relating to the duties of the county court of Boon county.

An act to revive an act to incorporate the Merrimac canal and navigation company, approved Feb. 12th 1839.

An act to authorise the correction of erroneous assessment of lands for taxes.

An act to establish judicial circuits and prescribe the times of holding courts.

An act to amend an act to incorporate the mechanics institute of St. Louis, approved Feb. 13, 1841.

An act respecting the collectors of the revenue in Ripley county.

An act to establish a court of common pleas in the city of Hannibal.

An act for the relief of Hampton L. Boon, clerk of the Supreme court.

An act for the relief of James W. Smith.

An act to change a State road from Bolivar to Springfield.

The House of Representatives has rejected the bill entitled,

An act to remove the branch bank at Springfield to the city of Warsaw.

The House of Representatives has agreed to the amendments of the Senate to the House bills entitled,

An act supplementary to an act to establish a State road from Boonville to Georgetown.

An act for the relief of Robert Wood of Pulaski county.

The House of Representatives has passed the Senate bill entitled,

An act for the relief of Reuben Garnett.

The House of Representatives has amended and passed as amended the Senate bills entitled,

An act to prescribe the times and places of holding the Supreme court and for other purposes.

An act to provide for the settlement of the accounts of Abraham M'Clellan, late treasurer.

The House of Representatives has adopted the following resolution:

Resolved, That Messrs. Ballou, Chiles, Neill, Carson, Hughes, Boas, and Wilson of V. B., be appointed on the part of the House, to join the committee on the part of the Senate, as a committee of conference to take into consideration the disagreement between the two Houses concerning the House amendments to the bill entitled,

An act to apportion representation.

The Speaker has signed the enrolled bills entitled,

An act to incorporate the Palmyra manufacturing company.

An act supplementary to an act to organize the county of Reynolds.

An act regulating interest of money.

An act to authorise the county court of St. Louis county to establish a house of correction.

An act for the benefit of John C. Gorden, William S. Burch and others.

An act concerning voluntary assignments.

An act concerning free negroes and mulattoes.

An act to prevent illegal banking and the circulation of depreciated paper currency within the limits of this State.

An act for the relief of Preston P. Brickey, late collector of Washington county.

An act to extend the jurisdiction of justices of the peace and constables in the town of Washington and township of St. Johns in Franklin county.

An act for the relief of Robert McCutchen and others.

An act to amend the charter of the Little Osage association.

An act concerning mill seats on Thompson's Fork, of North Grand river.

An act to repeal an act declaring a portion of Spring river a public highway.

An act for the relief of the sheriff and collector of Grundy county.

Joint resolution concerning discharged convicts.

An act in relation to Knox county.

An act to legalize the marriage of Wesley Glazier and Tripley Glazier.

An act to establish a State road from Gallatin through the county seat of De Kalb to St. Joseph.

An act respecting executors and administrators.

Whereupon the President of the Senate signed said enrolled bills.

Mr. Rawlins from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to further provide for the collection of the revenue of Cole county for the year 1844.

An act to close the sales of lots in the city of Jefferson.

An act further to define the duties of the commissioner of the permanent seat of government.

An act for the benefit of Clarissa Williams, a free woman of color.

An act supplementary to an act passed at the present session of the Legislature incorporating the city of Lexington.

An act for the relief of Mark Moss, former collector of Jefferson county.

An act to vacate a certain State road in Gasconade county.

An act to view and mark out a State road from Kirksville to the northern boundary line.

An act to establish a State road from California in Moniteau county by way of Pisgah to the City of Boonville.

An act to declare a certain road a State road.

An act for the benefit of the corporation of the town of Washington, in Franklin county.

An act authorising the Register of Lands to receive of the collector of Scotland county the delinquent list of said county for the year 1843.

An act to amend the law regulating the treasury department.

An act for the relief of Mark Moss, collector of Jefferson county.

An act concerning crimes and their punishments.

An act declaring a certain county road a State road.

An act to amend an act to incorporate the Boonville academy.

An act for the relief of John L. Hamilton, collector of Franklin county.

An act providing for the appointment of commissioners to take depositions in other States.

An act to lay out a State road.

An act for the benefit of the securities of James B. Ackman.

Joint resolution of instruction to the attorney general.

An act to authorise the people of Buchanan county to remove their seat of justice.

An act to regulate groceries and dram shops.

An act to authorise James English and Robert W. Gray, administrators of the estate of John English to make a deed to Reuben Garnett.

An act for the benefit of John C. Gorden, William S. Burch and others.

An act to authorise the county court of St. Louis county to establish a house of correction.

An act regulating the interest of money.

An act supplementary to an act to organize the county of Reynolds.

An act to incorporate the Palmyra manufacturing company.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President laid before the Senate the following communications from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 24, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed a bill of the following title:

An act to provide for the election of a public printer.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

CITY OF JEFFERSON, March 22, 1845.

To the Hon. the Senate:

Gentlemen, I have this day approved and signed the following bill:

An act to provide for the election of justices of the peace in the township of St. Louis and county of St. Louis.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

EXECUTIVE DEPARTMENT,

CITY OF JEFFERSON,

March 24, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

An act for the benefit of the corporation of the town of Washington in Franklin county.

An act declaring a certain county road a State road.

An act to view and mark out a State road from Kirksville to the northern boundary line.

An act to amend an act to incorporate the Boonville academy, approved Jan. 14, 1825.

An act to authorise the people of Buchanan county to remove their seat of justice.

An act for the relief of Mark Moss, sheriff of Jefferson county.

An act for the relief of Clarissa Williams, a free woman of color.

An act to establish a State road from California, in Moniteau county, by the way of Pisgah, to the city of Boonville.

An act for the relief of R. R. and M. L. Jefferson and others.

An act to view and mark out a state road from St. Josephs in Buchanan county to Oregon in Holt county.

An act to amend the law regulating the treasury department.

An act authorising the register of lands to receive of the collector of Scotland county, the delinquent list of said county for the year 1843.

An act to vacate a certain State road in Gasconade county.

An act supplementary to an act passed at the present session of the Legislature incorporating the city of Lexington.

An act to declare a certain county road a State road.

An act for the relief of John L. Hamilton, collector of Franklin county.

An act to further provide for the collection of the revenue in and for the county of Cole for the year 1844.

An act to lay out a State road.

An act for the relief of Mark Moss, former collector of Jefferson county.

A resolution directing an investigation of the accounts of the commissioners of the permanent seat of government.

Very respectfully,

Your ob't. s'vt.

JOHN C. EDWARDS.

Mr. Fort, from the committee of conference appointed by the two Houses, on the disagreement of the two Houses in relation to the House amendments to the Senate bill entitled,

An act to apportion representation,

Reported that the committee had recommended to the House to recede from the disagreement, and adopt the Senate bill with a slight amendment, as follows: "Strike Wright county out of the 21st district, and add it to the 20th district."

The report was read and agreed to.

The House bill entitled,

An act for the benefit of School township No. 52, in range 27, and for other purposes,

Was read a third time and passed.

Message from the House of Representatives, by Mr. Coalter, a member:

Mr. PRESIDENT:—

The Senate bill entitled,

An act supplementary to an act entitled an act to lay off the State, into Congressional districts, approved Feb. 21, 1845,

Is hereby returned as requested by the Senate.

The engrossed bill entitled,

An act respecting a State road in St. Charles county,

Was read a third time and passed by the following vote:

Yeas—Messrs. Anderson, Ellis, Fort, Gentry, Hancock, Kownslar, Miller, Powers, Rawlins, Shelton, Snell and Snyder—12.

Nays—Messrs. Acock, Boggs, Calhoun, Harper, Harris, Jones, Massey, Netherton, O'Bryan and Wolfskill—10.

Absent, Messrs. Campbell, Detchemendy, Hudspeth and Reese.

Absent with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson.

Excused from voting, Messrs. Mills and Polk.

On motion of Mr. Polk,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 29.

Absent, with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson.

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Shelton,

The Senate went into executive session, and after being engaged some time therein, resumed the regular order of business.

Mr. Jones submitted the following:

Resolved by the Senate, That the House of Representatives be requested to send back to the Senate a bill entitled,

An act to regulate the sale of 16th sections.

Which was read, and

The question on its adoption was determined in the negative by the following vote:

Yeas—Messrs. Calhoun, Fort, Hudspeth, Jones, Polk, Shelton and Wolfskill—7.

Nays—Messrs. Acock, Anderson, Boggs, Campbell, Ellis, Gentry, Hancock

Harper, Harris, Kownslar, Massey, Miller, Mills Netherton, O'Bryan, Powers, Rawlins, Reese, Snell and Snyder—20.

Absent, Messrs. Detchemendy and Welborn.
Absent with leave, and sick, as before.

Mr. Miller on leave introduced a bill entitled,
An act for the relief of William Douglass.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, and passed.

The House bill entitled,
An act to regulate the inspection of Tobacco.
Was read a third time.

Mr. Jones moved to amend by way of ryder as follows:

In the 3rd line of the 27th section, strike out "one dollar" and insert "seventy five cents."

Which was read a first time.

Mr. Mills objected.

On motion of Mr. Jones,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was 25.

Absent, Messrs. Calhoun, Detchemendy, Gentry and Snell.

Absent with leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson.

The door-keeper was despatched to notify the absentees, and

On motion, all further proceedings under the call were dispensed with.

The question was then taken on the rejection of the ryder, and was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Boggs, Detchemendy, Ellis, Fort, Harper, Miller, and Mills—8.

Nays—Messrs. Acock, Campbell, Calhoun, Gentry, Hancock, Harris, Huds-peth, Jones, Kownslar, Massey, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—21.

Absent with leave, Messrs. Blythe, Johnson and Lucas.
Sick, Mr. Thompson.

The ryder was then read a second time, considered as engrossed, the rules further suspended, and read a third time.

Mr. Jones also moved to amend by way of ryder as follows:

In 27th section, last line strike out "fifty" and insert "seventy-five."

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time.

Mr. Shelton moved to amend by way of ryder as follows:

Strike out sections 31, 32 and 33, and insert in lieu thereof the following:

Sec. 31. The said keeper shall receive all money payable at said warehouse for the storage and cooperage of all tobacco stored at the State tobacco warehouse, and all storage and all other articles stored at said warehouse, and shall every three months, pay into the State treasury, all money which he may have received on account of storage of hogsheads of tobacco, and the amount to be paid into the State treasury by such keeper shall be certified by the board of inspectors to the auditor of public accounts, and to the treasurer, and for that purpose they shall examine the books of said keeper and all other evidence, and ascertain and adjust the amount to be paid, and certify the same accordingly.

Sec. 32. Said keeper shall employ at his own expense, and without any charge to the State, all such tobacco as may be necessary to conduct the business of the inspection, storage and cooperage at said warehouse, and may receive for storage at said warehouse all such articles of merchandize as may not be of a combustible nature, and keep the same in storage at such prices for storage as he may think proper; provided that the storage of merchandize other than hogsheads of tobacco, shall not be permitted to interfere with the storage of tobacco at said warehouse, and if said keeper shall permit such storage to interfere with the storage of tobacco, the fact of his so doing shall be reported by said board of inspectors or a majority of them to the Governor, and the Governor shall thereupon immediately remove said keeper from office, and appoint another in his stead.

Sec. 33. The said keeper shall receive as a full compensation for all services rendered, all cooperage fees received at said warehouse, and all storage fees on articles other than hogsheads of tobacco.

Which was read a first time.

Mr. Anderson objected.

On motion of Mr. Jones, a call of the House was ordered.

The roll being called, the number of Senators answering to their names was—26.

Absent, Messrs. Campbell, Calhoun, Miller, and Netherton.

With leave—Messrs. Blythe, Johnson and Lucas.

On motion of Mr. Massey,

All further proceedings under the call were dispensed with.

The question was then taken on the rejection of the ryder and was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Boggs, Detchemendy, Ellis, Fort, Harper, Harris, Mills, and Netherton—9.

Nays—Messrs. Acock, Gentry, Hancock, Hudspeth, Jones, Kownslar, Massey, Miller, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—18.

Absent, Messrs. Campbell and Calhoun.

With leave, Messrs. Blythe, Johnson and Lucas.

Sick, Mr. Thompson.

The ryder was then read a second time, considered as engrossed and read a third time, when

The question recurred on the passage of the bill as amended and was determined in the affirmative.

On motion of Mr. Massey,

The House bill entitled,

An act to provide for the election and compensation of a commissioner to superintend the printing of the revised laws,

Was taken up read a first time, the rule suspended, and read a second time.

Mr. Hancock moved to amend as follows:

In the first section of the bill, strike out all after "Sec. 1" to the word "commissioner," and insert in lieu thereof, "That William C. Jones, is hereby appointed."

Which was read and agreed to.

The rule was then suspended, and the bill as amended was read a third time and passed.

The House bill entitled,

An act supplementary to an act to lease the penitentiary,

Was read a first time, the rule suspended, read a second time, the rule further suspended, and read a third time and passed.

On motion the Senate agreed to the amendments of the House to the Senate bill entitled,

An act to provide for the settlement of the accounts of Abraham M'Clellan, late treasurer.

Mr. Polk submitted the following:

Resolved by the Senate, the House of Representatives concurring therein:

That the two Houses of the General Assembly will on Tuesday the 25th inst., at 10 o'clock, A. M., meet in joint session in the House of Representatives, for the purpose of electing a public printer; also a committee of three members, one from the Senate and two from the House of Representatives to examine the books in the auditor's office in compliance with the provisions of an act on that subject, approved the 19th March, 1845.

On motion of Mr. Acock,

The resolution was amended by striking out 10 A. M., and inserting 2 P. M., when

The resolution as amended was adopted.

On motion, the Senate adjourned until to-morrow morning, at 9 o'clock.

TUESDAY MORNING *March*, 25, 1845.

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Huston, assistant clerk:

Mr. President:—

The House of Representatives has agreed to the report of the committee of conference on the bill entitled,

An act to apportion representation.

The following revised bills have passed the House of Representatives:

An act to punish fraudulent debtors.

An act regulating clerks.

The House of Representatives has concurred in the resolution of the Senate for the election of a Public Printer this day at 2 o'clock.

The Speaker has signed the enrolled bills entitled,

An act to authorise the sheriff of Cole county in certain cases to make deeds for lands sold for taxes.

An act for the benefit of Valentine A. Sublette.

An act to authorise the surviving partners of the firm of Messrs. Bast and Talbot of Montgomery county, to sell goods at auction.

An act for opening and repairing public roads and highways.

An act to authorise James English and Robert W. Gray, administrators of the estate of John English to make a deed to Reuben Garnett.

An act for the benefit of Isham Willingham.

An act for the relief of W. Z. Angney and others.

An act for the benefit of township 44, in range 12 in Cole county.

An act for the benefit of Mary H. Mochett of St. Charles county.

An act for the benefit of Jacob Breittenstein.

An act for the relief of Peter McLain.

An act for the relief of Lewis Menfry.

An act concerning boats and vessels.

An act for the relief of William Stewart of Perry county.

An act for the benefit of Gasconade county.

An act for the relief of Elihu H. Shepherd.

An act for the relief of Robert Wood, of Pulaski county.

An act for the relief of the collectors of the revenue for the years 1843-4.

An act concerning Sullivan and Harrison counties.

An act to regulate executions.

An act to regulate groceries and dram shops.

An act to amend an act to establish a corporation in the city of St. Louis for the purpose of public education, approved Feb. 13th, 1833.

Whereupon the President of the Senate signed the enrolled bills aforesaid.

Mr. Acock, from the committee of ways and means, to whom was referred the House bill entitled,

An act appropriating money for the support of government for the years 1845 and 1846.

Reported it to the Senate and asked to be discharged from the further consideration thereof.

The report was agreed to, and the bill read a third time and passed.

Mr. Jones, from the committee on the judiciary, to whom was referred the bill entitled,

An act to regulate injunctions in certain cases.

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendments were read and agreed to and the bill as amended was read a third time and passed.

Mr. Snyder from the select committee to whom was referred the House bill entitled,

An act to establish a State road from Cape Girardeau to Bloomfield.

Reported it to the Senate, and recommended its reference to the next General Assembly.

The report was read and agreed to and the bill so referred.

Mr. Boggs offered a resolution entitled,

Joint resolution in relation to the publication of certain laws,

Which was decided by the President to be out of order.

Mr. Rawlins asked and obtained leave of absence for Mr. Snell.

Mr. Mills from the select committee, to whom was referred the House bill entitled,

An act to provide for the payment of jurors in St. Louis county.

Reported it to the Senate with sundry amendments, and recommended their adoption and the passage of the bill.

The report and amendment were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Campbell from the committee on the judiciary to whom was referred the House bill entitled,

An act concerning grand and petit jurors,

Reported it to the Senate with an amendment, and recommended its passage.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

Mr. Thompson, from the select committee to whom was referred the House bill entitled,

An act regulating the fees of the registers and receivers of the State land offices, and for other purposes,

Reported it to the Senate with an amendment.

The report was read and disagreed to, and the accompanying bill was read a third time.

Mr. Thompson moved to amend by way of ryder as follows:

Strike out all of the 2d section after the word "same," in the fifth line, and insert in lieu thereof "and the receivers shall each be allowed one-fifth of one per cent. on all money paid into the State treasury by him."

Which was read a first time.

Mr. Gentry objected.

On motion of Mr. Ellis,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was—25.

Absent, Messrs. Fort, Reese and Shelton.

Absent with leave, Messrs. Blythe, Johnson, Lucas and Snell.

The sergeant at arms was despatched to notify the absentees, and

On motion, all further proceedings under the call were dispensed with.

The question was then taken on the rejection of the ryder, and was determined in the negative.

The ryder was then read a second time, considered as engrossed, the rule suspended and read a third time, when

The question recurred on the passage of the bill as amended, and was determined in the affirmative.

The House bill entitled,

An act to establish a court of common pleas in the city of Hannibal,

Was read a first time, the rule suspended, and read a second time.

Mr. Campbell moved to amend as follows:

1. Strike out the words "attachment and" in the 7th line of the 4th section.

2. Strike out the 5th section and insert in lieu thereof the following:

All writs of injunction granted by the judge of the court hereby established, shall be returnable to the circuit court.

3. Amend the House amendment by striking out the same, and inserting in lieu thereof:

Strike out the words "Mason township," and said township wherever they occur in the 3rd section of the bill, and insert in lieu thereof, "the corporate limits of the city of Hannibal.

4. Add to section 21:

Provided that no such fee shall be taxed against any defendant not residing within the corporate limits of Hannibal, at the time of the institution of the suit in which such judgment is rendered.

5. Strike out the last line in the 29th section and insert "second Mondays in June and November."

6. Add as an additional section:

All expenses which may be incurred in the establishment of said court of common pleas, shall be paid by the citizens within the corporate limits, of said city of Hannibal.

Which amendments were severally read and agreed to, when the rule was suspended, and the bill as amended, was read a third time and passed as amended by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Fort, Gentry, Harper, Harris, Jones, Miller, Mills, Reese and Welborn—14.

Nays—Messrs. Acock, Ellis, Hancock, Hudspeth, Kownslar, Massey, Nether-ton, O'Bryan, Polk, Powers, Rawlins, Snyder, Thompson and Wolfskill—14.

Absent, Mr. Shelton.

With leave, Messrs. Blythe, Johnson, Lucas and Snell.

The Senate being equally divided, the President gave the casting vote in the affirmative.

The House bill entitled,

An act to incorporate the St. George Steam Ferry Company,

Was read a first time, and

On motion of Mr. Anderson, indefinitely postponed.

The House bill entitled,

An act concerning the penitentiary,

Was read a first time, the rule suspended, read a second time, and

On motion of Mr. Acock,

Laid on the table until the 4th of July next.

The House bill entitled,

An act to authorise the correction of erroneous assessments of lands for taxes,

Was read a first time and ordered to a second reading.

The House bill entitled,

An act to authorise the repayment of taxes improperly paid,

Was read a first time.

Mr. Acock objected.

The question on the rejection of the bill was determined in the negative, and

The bill was ordered to a second reading.

The following House bills were severally read a first time, the rule suspended, read a second and third times, and passed.

An act to change a State road leading from Bolivar to Springfield.

An act to create an additional election precinct in Platte county.

An act to amend an act to incorporate the mechanics institute of St. Louis, approved Feb. 13, 1841.

An act to revive an act to incorporate the Merrimac canal and navigation company, approved Feb. 12th 1839.

An act for the relief of Hampton L. Boon, clerk of the Supreme court.

An act respecting the collectors of the revenue in Ripley county.

An act relating to the duties of the county court of Boone county.

The engrossed House bill entitled,

An act to regulate clerks,

Was read a third time and passed.

On motion the amendments of the House to the bill entitled,

An act prescribing the time and places of holding the Supreme court and for other purposes,

Was taken up and read.

Mr. Campbell moved to amend the amendment of the House by striking out the words "third and" in the fourth line and in the last line.

Which was read and adopted, and

The amendment as amended was concurred in.

The House bill entitled,

An act to punish fraudulent debtors,

Was read a first time.

Mr. Boggs moved to lay it on the table, which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Hancock, Hudspeth, Reese, Thompson and Welborn—9.

Nays—Messrs. Campbell, Calhoun, Ellis, Fort, Gentry, Harper, Harris, Kownslar, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder and Wolfskill—18.

Absent, Messrs. Jones and Massey.

With leave, Messrs. Blythe, Johnson, Lucas and Snell.

Mr. Hudspeth moved the rejection of the bill, which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Hancock, Hudspeth, Reese and Wolfskill—8.

Nays—Messrs. Campbell, Calhoun, Ellis, Fort, Gentry, Harper, Harris, Kownslar, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Shelton, Snyder and Welborn—18.

Absent—Messrs. Jones, Massey and Thompson.

Absent with leave—Messrs. Blythe, Johnson, Lucas and Snell.

Mr. Boggs moved a call of the House, which was negatived.

Mr. Fort moved to suspend the rules and that the bill be read a second time now. Which was determined in the affirmative by the following vote:

Yeas—Messrs. Calhoun, Ellis, Fort, Gentry, Harper, Harris, Kownslar, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder and Welborn—19.

Nays—Messrs. Acock, Anderson, Boggs, Campbell, Detchemendy, Hancock, Hudspeth and Wolfskill—8.

Absent—Messrs. Jones and Thompson.

Absent with leave, Messrs. Blythe, Johnson, Lucas and Snell.

The bill was then read a second time.

Mr. Boggs moved its reference to a select committee.

Which was negatived.

Mr. Kownslar moved that the bill be ordered to a third reading on to-morrow.

Which was negatived.

Mr. Hudspeth moved its commitment to a committee of the whole.

Which was negatived.

Mr. Hudspeth moved to adjourn.

Which was negatived.

Mr. Fort moved to suspend the rule, and that the bill be ordered to a third reading now.

Which was determined in the negative by the following vote:

Yeas—Messrs. Anderson, Calhoun, Ellis, Fort, Gentry, Harper, Harris, Kownslar, Massey, Miller, Mills, O'Bryan, Polk, Powers, Reese, Snyder and Welborn—17.

Nays—Messrs. Acock, Boggs, Campbell, Detchemendy, Hancock, Hudspeth, Jones, Netherton, Rawlins, Shelton and Wolfskill—11.

Absent—Mr. Thompson.

Absent with leave, Messrs. Blythe, Johnson, Lucas and Snell.

On motion of Mr. Massey,

The vote by which the senate refused to order the bill to a third reading was reconsidered.

The bill was then ordered to a third reading on to-morrow.

On motion, the Senate adjourned.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, March 24, 1845.

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles to wit:

An act supplementary to an act entitled an act to organise the county of Reynolds.

An act to encourage the publication of a good form book.

An act to incorporate the Palmyra manufacturing company.

An act to enable persons to secure the right of way in certain cases.

An act regulating the interest of money.

An act for the benefit of John C. Gorden, William S. Burch and others.

An act to authorise the county court of St. Louis county to erect a house of correction.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

Mr. Rawlins, from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to regulate groceries and dram shops.

An act to authorise James English and Robert W. Gray administrators of the estate of John English deceased, to make a deed to Reuben Garnett.

On motion of Mr. Snyder, the bill entitled,

An act supplementary to an act entitled, an act to lay off the State into congressional districts, approved Feb. 25, 1845.

Was taken up, and on his further motion, the vote on disagreeing to the amendment of the House to said bill was reconsidered.

Mr. Snyder then moved to amend the amendment of the House as follows:

Strike "Texas" out of the House amendment in the second line, also strike out all after the word district, in the 4th line, to the word "add" in the 6th line.

Which was read and agreed to, and the amendment of the House as amended was concurred in.

The House bill entitled,

An act to establish judicial circuits and prescribe the times and places of holding courts,

Was read a first time, the rule suspended, and read a second time.

On motion of Mr. Miller,

The bill was amended as follows:

Strike out the 17th section, and insert the following:

Sec. 17. The circuit within and for the county of Miller, shall be held on the last Mondays in February, and the last Monday in August.

In the county of Camden, on the 1st Mondays in March and September.

For the county of Morgan, on the 2d Mondays in March and September.

For the county of Moniteau, on the 3rd Mondays in March and September.

In Cooper county on the 4th Mondays in March and September.

In Osage county on the 3d Mondays in April and October.

In the county of Cole on the 1st Mondays after the 4th Mondays in April and October.

Mr. Polk moved to refer the bill to a select committee.

Which was negatived.

Mr. Jones moved to amend the bill as follows:

In the 4th line of 24th section, strike out "4th" and insert "3rd."

Which was read, and

On motion of Mr. Rawlins,

The bill and amendments were referred to a select committee consisting of Messrs. Massey, Kownslar and Boggs.

On motion the Senate repaired to the hall of the House of Representatives for the purpose of electing a public printer, and a committee to examine into the books of the auditor's office.

The President of the Senate took the Speaker's chair, and announced the object of the meeting.

Nominations for the office of public printer being in order,

Mr. Martin of the House nominated James Lusk.

Mr. Acock nominated E. L. Edwards.

Mr. Davis of the House nominated W. F. Switzler.

The vote being taken, there appeared,

For Mr. Lusk—44 votes.

For Mr. Edwards—27 votes.

For Mr. Switzler—30 votes.

The Senators voted as follows:

For Mr. Lusk—Messrs. Boggs, Hancock, Harper, Polk, Powers, Rawlins, Snyder and Welborn—8.

For Mr. Edwards—Messrs. Acock, Anderson, Detchemendy, Ellis, Fort, Hudspeth, Jones, Kownslar, Massey, Miller, Reese, Shelton, Thompson and Wolfskill—14.

For Mr. Switzler—Messrs. Calhoun, Gentry, Harris, Mills, Netherton, and O'Bryan—6.

Neither candidate having received a majority of the votes given, the two Houses proceeded to ballot the second time, when there appeared,

For Mr. Lusk—46 votes.

For Mr. Edwards—30 votes.

For Mr. Switzler—20 votes.

The Senators voted as follows:

For Mr. Lusk—Messrs. Boggs, Hancock, Harper, Polk, Powers, Rawlins, Snyder and Welborn—8.

For Mr. Edwards—Messrs. Acock, Anderson, Detchemendy, Ellis, Fort, Hudspeth, Jones, Kownslar, Massey, Miller, Reese, Shelton, Thompson and Wolfskill—14.

For Mr. Switzler—Messrs. Calhoun, Gentry, Harris, Mills, Netherton and O'Bryan—6.

Neither candidate having received a majority of the votes given, the two Houses proceeded to ballot a third time, when there appeared,

For Mr. Lusk—49 votes.

For Mr. Edwards—39 votes.

For Mr. Switzler—5 votes.

For Chambers and Knapp—1 vote.

The Senators voted as follows:

For Mr. Lusk—Messrs. Boggs, Hancock, Harper, Polk, Powers, Rawlins, Snyder and Welborn—8.

For Mr. Edwards—Messrs. Acock, Anderson, Calhoun, Detchemendy, Ellis, Fort, Gentry, Harris, Hudspeth, Jones, Kownslar, Massey, Miller, Mills, Nether-ton, O'Bryan, Reese, Shelton, Thompson and Wolfskill—20.

Absent, Mr. Campbell.

Absent with leave, Messrs. Blythe, Johnson Lucas and Snell.

Whereupon Mr. James Lusk, having received a majority of all the votes given, was declared duly elected, public printer of the State of Missouri for the two years next ensuing.

On motion of Mr. Finch of the House,

Resolved by the two Houses, That Benjamin F. Massey on the part of the Senate, and George Knox and Thompson Ward on part of the House of Representatives, be and they are hereby appointed a committee to examine into the books of the office of the auditor of public accounts.

On motion the Senate repaired to its own chamber and resumed business,

Mr. Massey from the select committee to whom was referred the House bill entitled,

An act concerning the revised statutes,

Reported it to the Senate with amendments and recommended their adoption.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The House of Representatives has passed the Senate bills entitled,
An act to abolish imprisonment for debt.

An act to provide for the sale of lots in the city of Jefferson,

An act for the relief of William J. Tutt.

An act declaring a certain county road in Chariton county a State road.

An act supplementary to an act to tax merchants.

An act to license auctioneers and to impose a tax on licenses and sales.

The House of Representatives agrees to the amendments of the Senate to the House bills entitled,

An act to authorise the Secretary of State to distribute certain volumes of the decisions of the supreme court.

An act to amend an act to incorporate the St. Louis and Carondelett rail road approved Feb. 6, 1837.

An act for the relief of Peter M'Clain and others.

The House of Representatives recedes from its amendment to the Senate bill entitled,

An act to provide for the redemption of certain bonds.

The House of Representatives insists on its disagreement to the amendments of the Senate to the House bill entitled,

An act for the relief of Josiah Dejarnette.

The House of Representatives insists on its amendment to the Senate amendment to the House resolution entitled,

Joint resolutions in relation to the revised statutes.

The House of Representatives insists on its amendments to the Senate bill entitled,

An act concerning the treasury of the State.

The following bills have passed the House of Representatives.

An act to establish the office of Register of Lands.

Joint resolution in favor of Geo. C. Bingham.

The House of Representatives has amended and agreed to as amended the

amendments of the Senate to the House bill entitled,

An act to regulate the inspection of tobacco.

The House bill entitled,

An act for the relief of James W. Smith,

Was read a first time, the rule suspended, and read a second and third time.

Mr. Acock moved to amend by way of ryder as follows:

Strike out the 1st section and insert the following:

Sec. 1. If James W. Smith, late collector of Benton county, or any person for him, shall on or before the first day of July, 1846, pay into the State treasury all the revenue due the State from said collector for any preceding year, the auditor is authorised and required to settle with said Smith, and make him the same allowance, and release him from all penalties in the same manner as if said payment had been made according to law.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time, when

The bill as amended passed.

On motion of Mr. Acock,

The House bill entitled,

An act for the benefit of Polk county,

Was taken up and read a third time, and on his motion, amended by way of ryder as follows:

At the end of 1st section add the following:

Provided said county tax shall in no event exceed two hundred per cent. on the State tax, unless a majority of the tax payers of said county, shall petition said court to do so.

The question recurred on the passage of the bill, as amended, and was decided affirmatively.

On motion of Mr. Massey, the resolution from the House entitled.

Joint resolution in relation to the revised statutes, and the amendments thereto, were laid on the table till the 4th day of July next.

On motion the Senate agreed to the amendment of the House to the Senate's amendments to the House bill entitled,

An act to regulate the inspection of tobacco.

The resolution from the House entitled,

Joint resolution in favor of George C. Bingham,

Was read a first time, and

On motion of Mr. Shelton rejected.

On motion of Mr. Kownslar, the bill entitled,

An act for the relief of Josiah De Jarnette,

And the amendments thereto, were laid on the table.

On motion of Hudspeth the House bill entitled,

An act to pay jurors in Gasconade county,

Was taken up and read a third time, and passed.

The House bill entitled,

An act to establish the office of Register of Lands,

Was read a first time, the rule suspended, read a second and third time, and passed.

On motion of Mr. Shelton, the vote on the rejection of the House resolution entitled,

Joint resolution in favor of Geo. C. Bingham,

Was reconsidered, when

The question on its rejection was again decided in the affirmative by the following vote:

Yeas—Messrs. Acock, Calhoun, Detchemendy, Gentry, Hancock, Harper, Hudspeth, Kownslar, Massey, Netherton, Polk, Powers, Shelton, Snyder and Welborn—15.

Nays—Messrs. Anderson, Boggs, Campbell, Ellis, Fort, Harris, Jones, Miller, Mills, Reese and Wolfskill—11.

Absent, Messrs. O'Bryan, Rawlins and Thompson.

Absent with leave, Messrs. Blythe, Johnson, Lucas and Snell.

On motion the Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, *March*, 26, 1845.

The Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Gilpin their clerk.

MR. PRESIDENT:

The House has agreed to the amendment of the Senate to the House amendment to the bill entitled,

An act to prescribe the times and places of holding the Supreme court, and for other purposes.

The House of Representatives has passed the bills entitled,

An act defining the limits of the several counties of this State.

An act concerning the General Assembly, the compensation of its members and officers, its proceedings and the mode of filling vacancies.

Joint resolution in favor of the librarian.

The House of Representatives has agreed to the several amendments to the bill entitled,

An act for levying, assessing, and collecting the revenue,

Excepting the 2d, which is disagreed to.

The House of Representatives has disagreed to the Senate amendment to the bill entitled,

An act to provide for the election and compensation of a commissioner to superintend the printing of the revised laws.

The Speaker has signed the enrolled bills entitled,

An act to change a State road from Bolivar to Springfield.

An act for the improvement of the harbor of St. Louis.

An act for the benefit of School township No. 52, in range 27, and for other purposes.

An act supplementary to an act to lease the penitentiary.

An act supplementary to an act to establish a State road from Boonville to Georgetown.

An act to establish justices courts and to regulate proceedings therein.

An act to incorporate the Nebraska Lodge No. 12, of the Independent Order of Odd Fellows of Platte city.

An act to amend an act to incorporate the Merrimac canal and manufacturing company, approved Feb. 12, 1839.

An act for the relief of Peter M'Clain and others.

An act relating to the duties of the county court of Boone county.

An act to create an additional election precinct in Platte county.

An act to authorise the Secretary of State to distribute certain volumes of the decisions of the Supreme court.

An act to amend an act to incorporate the Carondelet and St. Louis rail road company, approved Feb. 6 1837.

An act respecting the collection of the revenue in Ripley county.
Whereupon the President of the Senate signed the enrolled bills aforesaid.

Mr. Thompson on leave of the Senate introduced a bill entitled,
An act more particularly to define the boundaries of Atchison and Holt counties, and supplementary to an act to provide for the organization of certain counties.

Which was read a first time, the rule suspended, read a second time, considered as engrossed, and read a third time and passed.

Mr. Kownslar from the select committee to whom was referred the House bill entitled,

An act to establish judicial circuits and prescribe the times and places of holding courts.

Reported it to the Senate with sundry amendments, and recommended their adoption and the passage of the bill.

The report and amendments were read and agreed to, and the bill as amended was read a third time and passed.

The House bill entitled,

An act to define the limits of the several counties in this State.

Was read a first time, the rule suspended, and read a second time.

On motion of Mr. Acock,

The bill was amended by making an alteration in the boundary of Polk county.

On motion of Mr. Snyder,

The bill was further amended in reference to the line of St. Francois county.

The rule was then suspended, and the bill as amended read a third time and passed.

On motion of Mr. Acock, the Senate receded from its amendment to the House bill entitled,

An act to provide for the election and compensation of a commissioner to superintend the publication of the revised laws.

On motion of Mr. Acock,

Resolved, by the Senate, the House of Representatives concurring,

That the two houses will meet in joint session in the hall of the House of Representatives for the purpose of electing a commissioner to superintend the publication of the revised laws passed at the present session of the General Assembly, at the hour of 3 o'clock this evening, the 26th inst.

The House bill entitled,

An act to punish fraudulent debtors,

Was read a third time.

Mr. Boggs moved to strike out the 1st section, together with all after the enacting clause.

On motion of Mr. Fort,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was 27.

Absent, Messrs. Gentry and Shelton.

Absent, with leave, Messrs. Blythe, Johnson, Lucas and Snell.

On motion, all further proceedings under the call were dispensed with.

The question was then taken on the motion to strike out, and was determined in the affirmative by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Detchemendy, Hancock, Harris, Hudspeth, Jones, Netherton, Polk, Reese, Thompson and Wellkill—14.

Nays—Messrs. Calhoun, Ellis, Fort, Harper, Kownslar, Massey, Miller, Mills, O'Bryan, Powers, Rawlins, Snyder, and Welborn—13.

Absent, Messrs. Gentry and Shelton.

With leave, Messrs. Blythe, Johnson, Lucas and Snell.

On motion of Mr. Acock,

The House bill entitled,

An act to provide for levying, assessing and collecting the revenue,

Was taken up, and

On motion of Mr. Hudspeth,

The Senate receded from its amendment to said bill by the following vote:

Yeas—Messrs. Boggs, Calhoun, Fort, Hancock, Harper, Harris, Hudspeth, Jones, Massey, Mills, O'Bryan, Polk, Rawlins, Reese, Snyder, Thompson and Welborn—17.

Nays—Messrs. Acock, Anderson, Campbell, Ellis, Kownslar, Miller, Netherton and Powers—8.

Absent, Messrs. Detchemendy, Gentry and Shelton.

With leave, Messrs. Blythe, Johnson, Lucas and Snell.

The House bill entitled,

An act to legalize the erection of a mill dam on Little Sugar creek, in Newton county,

Was read a second time, the rule suspended, and read a third time, and passed.

The House bill entitled,

An act to authorise the correction of erroneous assessment of lands for taxes, Was read a second time.

Mr. Acock moved to lay it on the table till the 4th day of July next.

Which was negatived.

On motion of Mr. Fort,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was—23.

Absent, Messrs. Calhoun, Gentry, Kownslar, Netherton, O'Bryan, Reese and Shelton.

Absent with leave, Messrs. Blythe, Johnson, Lucas and Snell.

The sergeant at arms was despatched to notify the absentees, and

On motion, all further proceedings under the call were dispensed with.

Mr. Acock moved the reference of the bill to the next General Assembly, Which was negatived.

Mr. Jones moved to amend as follows:

Amend the bill to to come in at the end of the last section.

“Provided, that no money shall be drawn out of the State Treasury by virtue of the above provisions of this act.”

Which was read and agreed to.

The rule was then suspended, and the bill read a third time.

Mr. Detchemendy moved to adjourn, which was negatived.

Mr. Fort moved to amend by way of ryder as follows:

“Provided, however, the register of lands shall exercise a sound discretion, as to the propriety of altering the books in his office on the certificate of the county court.

Which was read a first time, and objections being made, the question on the rejection of the ryder, was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Harper, Harris, Jones, Kownslar, Mills, Netherton, Rawlins and Reese—13.

Nays—Messrs. Acock, Fort, Hancock, Hudspeth Massey, Miller, Polk, Pow-

ers, Snyder, Thompson, Welborn and Wolfskill—12.

Absent, Messrs. Calhoun, Gentry and O'Bryan.

Absent with leave, Messrs. Blythe, Johnson, Lucas and Snell.

The question then recurred on the passage of the bill as amended and was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Harper, Harris, Hudspeth, Jones, Kownslar, Miller, Mills, Netherton, Rawlins and Reese—16.

Nays—Messrs. Acock, Fort, Hancock, Massey, Polk, Powers, Snyder, and Wolfskill—8.

Absent, Messrs. Gentry, O'Bryan, Thompson and Welborn.

With leave, Messrs. Blythe, Johnson, Lucas and Snell.

On motion of Mr. Campbell, leave of absence was given to Mr. Gentry.

The House bill entitled,

An act to authorise the repayment of taxes improperly paid,

Was read a second time.

Mr. Ellis moved to suspend the rules and that the bill be read a third time now, which was negatived.

Mr. Acock moved to lay the bill on the table, till the 4th of July next,

Which was negatived, and

The bill was ordered to a second reading on to-morrow.

Message from the House of Representatives, by Mr. Williams a member:

Mr. President:—

The following bill has passed the House of Representatives:

An act to incorporate the Home mutual fire and marine insurance company of St. Louis.

The Speaker has signed the enrolled bills entitled,

An act to provide for the organization, support and government of common schools.

An act to establish the office of Register of Lands.

An act to prescribe the times and places of holding the Supreme court and for other purposes.

An act supplementary to an act concerning slaves, approved March 19th, 1835.

An act to pay jurors in Gasconade county.

An act to regulate practice at law.

An act appropriating money for the support of government for the years 1845 and 1846.

An act to provide for the election and compensation of a commissioner to superintend the printing of the revised laws.

Whereupon the President pro tempore of the Senate signed said enrolled bills.

The resolution from the House, entitled,

Joint resolution in favor of the Librarian,

Was read a first time, the rule suspended, and read a second and third times and passed.

The House bill entitled,

An act concerning the General Assembly, the compensation of its members and officers, its proceedings and the mode of filling vacancies.

Was read a first time, the rule suspended, and read a second time.

Mr. Massey moved to amend the bill by striking off the House amendments to the 2d and 5th sections.

Which was read and agreed to by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Detchemendy, Ellis, Fort, Huds-peth, Jones, Kownslar, Massey, Miller, Netherton, Reese, Thompson, Welborn and Wolfskill—16.

Nays—Messrs. Acock, Calhoun, Hancock, Harper, Harris, Mills, O'Bryan, Polk, Powers, Rawlins and Snyder—11.

Absent, Mr. Shelton.

Absent with leave, Messrs. Blythe, Gentry, Johnson, Lucas and Snell.

The rule was suspended, and the bill as amended, read a third time and passed. On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

The President *pro tempore* laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 26, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles:

An act to authorise James English and Robert W. Gray, administrators of the estate of John English to make a deed to Reuben Garnett.

An act to regulate groceries and dram shops.

An act to license and tax merchants.

An act for the benefit of the securities of James B. Ackman.

An act further to define the duties of the commissioner of the permanent seat of government.

An act providing for the appointment of commissioners to take depositions in other States.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

The House bill entitled,

An act to incorporate the Home mutual fire and marine insurance company,
Was read a first time, the rule suspended, read a second and third times and passed.

On motion of Mr. Shelton,

The Senate went into executive session, and after being engaged some time therein, resumed the regular order of business.

Mr. Snyder from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act to apportion representation.

An act to provide for the settlement of the accounts of Abraham M'Clellan, late treasurer.

An act to license and regulate agencies of foreign insurance companies.

An act to authorise the acting sheriff of St. Clair county, to report to the county court of said county, the sales of certain school lands, made by former sheriff.

An act for the benefit of William J. Tutt.

An act supplementary to an act to license and tax merchants.

An act to abolish imprisonment for debt.

An act to provide for the sale of lots in the city of Jefferson.

An act declaring a certain county road a State road.

An act to provide for the payment and redemption of certain bonds of this State.

Message from the House of Representatives by Mr. Lowe:

Mr. President:—

The Speaker of the House of Representatives has signed the enrolled bills entitled,

An act to provide for the payment and redemption of certain bonds of this State.

An act declaring a certain county road a State road.

An act to abolish imprisonment for debt.

An act to provide for the sale of lots in Jefferson city.

An act supplementary to an act to license and tax merchants.

An act concerning certain school lands in St. Clair county.

An act to apportion representation.

An act for the relief of William J. Tutt.

An act to provide for the settlement of the accounts of Abraham M'Clellan, late treasurer.

An act to license and regulate foreign insurance agencies.

The House has concurred in the resolution from the Senate in relation to the election of a commissioner to superintend the publication of the revised laws.

Whereupon the President pro tem. of the Senate signed said enrolled bills.

Mr. Fort asked and obtained leave of absence for the President of the Senate for the remainder of the Session.

On motion of Mr. Jones,

The Senate repaired to the Hall of the House of Representatives for the purpose of electing a commissioner to superintend the publication of the revised laws.

The president *pro tempore* of the Senate took the Speaker's chair, and announced the object of the meeting.

Nominations for the office of commissioner to superintend the publication of the revised laws being in order,

Mr. Jones of the House nominated William C. Jones.

Mr. Richmond of the House nominated S. Mansfield Bay.

The vote being taken there appeared,

For Mr. Jones—56 votes.

For Mr. Bay—33 votes.

For James L. Minor—1 vote.

The Senators voted as follows:

For Mr. Jones—Messrs. Acock, Anderson, Detchemendy, Hancock, Harper, Hudspeth, Jones, Kownslar, Massey, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—20.

For Mr. Bay—Messrs. Boggs, Campbell, Ellis and Miller.—4.

Absent, Messrs. Calhoun, Fort, Harris and Thompson.

Absent with leave, Messrs. Blythe, Gentry, Johnson, Lucas and Snell.

Whereupon William C. Jones having received a majority of the votes given, was declared duly elected commissioner, to superintend the publication of the revised laws.

On motion the Senate repaired to its own chamber and resumed business.

On motion of Mr. Wolfskill,

Resolved unanimously, That the thanks of the Senate be tendered to R. E. Acock, President *pro tempore* of the Senate for the faithful and impartial discharge of the duties of that office.

Mr. Mills offered the following:

Resolved, That all bills, resolutions, memorials and petitions lying on the table and in committee of the whole, unacted upon, be referred to the next General Assembly.

Which was read and laid on the table.

On motion of Mr. Polk,

Resolved, That the thanks of the members of the Senate be tendered to the President of the Senate, for the able, dignified and impartial manner in which he has presided over the deliberations of this body.

On motion of Mr. Detchemendy,

Resolved, That the thanks of the Senate be tendered to the Secretary, clerks, and other officers of the Senate for the faithful and attentive discharge of the duties of their respective offices.

On motion of Mr. Massey,

The House bill entitled,

An act to establish a probate court in Dade county,

Was taken up read a second time, the rule suspended, and read a third time and passed.

On motion of Mr. Campbell,

Ordered that a committee of conference consisting of Messrs. Campbell, Shelton and Fort be appointed to take into consideration the disagreement of the two Houses in relation to the amendments to the bill entitled,

An act to regulate elections.

Mr. Miller on leave of the Senate introduced a bill entitled,

An act to ascertain the number of lunatics in the State of Missouri.

On motion, the resolution offered by Mr. Mills, in relation to referring all bills on the table and in committee of the whole, to the next General Assembly, was taken up and adopted.

On motion of Mr. Massey,

Resolved by the Senate, the House of Representatives concurring therein:

That the committee appointed by the General Assembly to examine the books in the auditor's office be authorised to have access to the books of the treasurer's office, and the office of the register of lands, if it should become necessary, fully to carry out the object for which said committee were appointed.

Mr. Snyder from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to apportion representation.

An act to provide for the settlement of the accounts of Abraham M'Clellan, late treasurer.

An act to regulate and license agencies of foreign insurance companies.

An act to authorise the acting sheriff of St. Clair county, to report to the county court of said county, the sales of certain school lands made by the former sheriff.

An act supplementary to an act to license and tax merchants.

An act to provide for the sale of lots in the city of Jefferson.

An act declaring a certain county road a State road.

An act to provide for the payment and redemption of certain bonds of this State.

An act to abolish imprisonment for debt.

An act for the benefit of William J. Tutt.

On motion of Mr. Welborn,

The bill entitled,

An act to appropriate money to repair the Governor's house.

Was taken up and read a third time and passed.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

THURSDAY MORNING, *March 27, 1845.*

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Gilpin their clerk:

Mr. President:

The House of Representatives agrees to the amendments of the Senate to the House bills entitled,

An act concerning grand and petit jurors,

An act in relation to the revised statutes.

An act to provide for the payment of jurors in St. Louis county.

An act for the relief of James W. Smith.

An act for the benefit of Polk county.

An act to establish a court of common pleas in the city of Hannibal.

The House of Representatives has indefinitely postponed the Senate bill entitled,

An act to view and mark out a State road in St. Charles and Lincoln counties.

The House of Representatives has referred to the next General Assembly the Senate bill entitled, —

An act more particularly to define the boundaries of Holt and Atchison counties; and supplemental to an act to provide for the organization of certain counties.

The House of Representatives has amended and passed as amended the amendment of the Senate to the House bill entitled,

An act regulating the fees of the registers and receivers of the State land offices.

The House of Representatives has agreed to the amendment of the Senate to the House amendment to the Senate bill entitled,

An act supplementary to an act entitled an act to lay off the State into Congressional districts, approved Feb. 21, 1845.

The House of Representatives has passed the Senate bills entitled,

An act relative to the Heatherly war.

An act to regulate injunctions in certain cases.

An act for the relief of William Douglass.

An act to appropriate money to repair the Governor's house.

An act supplementary to an act explanatory of an act concerning slaves.

The House of Representatives has agreed to the amendment of the Senate to the House bill entitled,

An act to authorise the correction of erroneous assessments of lands for taxes.

The following bills have passed the House of Representatives.

An act amendatory of an act concerning marriages.

An act to provide for the erection of a monument over the grave of Daniel Boon.

Joint resolution for printing the law fixing judicial circuits.

The House of Representatives has referred to the next General Assembly the Senate bill entitled,

An act to ascertain the number of lunatics in the State of Missouri.

The House of Representatives has adopted the following resolution:

Resolved, by the House of Representatives the Senate, concurring therein:

That a joint committee of three on the part of the House, and two on the part of the Senate, be appointed to wait on the Governor, and inquire whether he has any further communications to make to the General Assembly, and inform him that the two Houses are ready to adjourn *sine die*.

And that Messrs. Wellman, Richmond and Calhoun have been appointed the committee on the part of the House.

The House has passed the resolution entitled,

Resolution for printing the marriage act.

The message received on yesterday from the Governor, and accompanying documents, is herewith transmitted to the Senate by order of the House of Representatives with the request that the Senate will examine and return the same to the House of Representatives.

The Speaker has signed the enrolled bills entitled,

An act to regulate clerks.

An act to provide for the payment of jurors in St. Louis county.

An act to regulate the inspection of tobacco.

An act concerning forcible entries and detainers.

An act to establish courts of record and to prescribe their powers and duties.

An act to establish and regulate county treasuries.

An act concerning the revised statutes.

An act to regulate the sale of the 16th sections.

An act to establish judicial circuits and prescribe the times and places of holding courts.

An act prescribing the limit of commencing actions.

An act concerning grand and petit jurors.

An act for the relief of James W. Smith.

An act to authorise the correction of erroneous assessments for taxes.

An act for the benefit of Polk county.

An act to legalize the erection of a mill dam on Little sugar creek in Newton county.

Joint resolution in favor of the librarian.

Whereupon the President pro tempore of the Senate signed the enrolled bills aforesaid.

The following House bill was, on motion, read a first time, the rule suspended, read a second and third times, and passed.

An act amendatory of an act entitled an act concerning marriages.

Message from the House of Representatives, by Mr. Gilpin their clerk.

MR. PRESIDENT:

The House of Representatives has agreed to the report of the committee of conference on the bill entitled,

An act to regulate elections.

The following bills have passed the House of Representatives:

An act concerning the northern boundary line of this State.

An act to authorise the employment of counsel to defend Preston Mullineux.

The House of Representatives has concurred in the resolution of the Senate

empowering the joint committee on the auditor's books to have access to the treasurer's and register's offices.

The following House bills were severally read a first time, the rule suspended, read a second and third times, and passed.

An act to employ counsel to defend Preston Mullineux.

An act concerning the northern boundary line of this State.

Resolution for reprinting the marriage act.

On motion the Senate concurred in the amendment of the House to the Senate's amendment to the House bill entitled,

An act regulating the fees of the registers and receivers of the State land offices.

The message of the Governor in relation to the northern boundary, together with the accompanying documents, were read and ordered to be returned to the House of Representatives.

Mr. Campbell, from the committee of conference on the bill entitled,

An act to regulate elections,

Reported it to the Senate with the following amendment, and recommended that the Senate agree to the same.

Amend the House amendment to sec. 61 by striking out the word "twenty," in the 6th line, and insert "forty."

The report was read and agreed to.

The House bill entitled,

An act to authorise the repayment of taxes improperly assessed,

Was read a third time.

Mr. Acock moved to amend by way of ryder as follows:

Add the following to the end of the 1st section:

"And that the auditor report to the next Legislature the amount paid out of the State treasury under this act."

Which was read a first time.

Mr. Kownslar moved the indefinite postponement of the bill and ryder,

Which was determined in the negative by the following vote:

Yeas—Messrs. Acock, Fort, Hancock, Kownslar, Massey, Powers, Rawlins, Shelton, Snyder, Thompson and Wolfskill—11.

Nays—Messrs. Anderson, Boggs, Campbell, Ellis, Harper, Harris, Hudspeth, Jones, Miller, Mills, Netherton, O'Bryan, Polk and Welborn—14.

Absent—Messrs. Calhoun, Detchemendy and Reese.

Absent with leave, Messrs. Blythe, Gentry, Johnson, Lucas and Snell.

The rule was then suspended, the ryder read a second time, considered as engrossed and read a third time.

Mr. Fort moved to amend by way of ryder as follows:

In 3rd line, after the word "year" insert the words, "by the same person."

Which was read a first time, the rule suspended, the ryder read a second time, considered as engrossed and read a third time.

The question then recurred on the passage of the bill as amended and was determined in the affirmative by the following vote:

Yeas—Messrs. Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Harper, Harris, Hudspeth, Jones, Miller, Mills, Netherton, O'Bryan, Rawlins, and Welborn—16.

Nays—Messrs. Acock, Fort, Hancock, Kownslar, Massey, Powers, Shelton, Snyder, Thompson and Wolfskill—10.

Absent, Messrs. Polk and Reese.

With leave, Messrs. Blythe, Gentry, Johnson, Lucas and Snell.

The resolution from the House entitled,

Joint resolution for printing the law fixing judicial circuits,

Was read a first time, the rule suspended, and read a second and third time.

Mr. Kownslar moved to amend by way of ryder as follows:

Strike out all after the word "that," and insert as follows:

The Secretary of State shall cause to be published as soon as practicable in two newspapers in this State, one on the north and the other on the south side of the Missouri river, the following acts, to wit:

An act to establish justices courts.

An act to lay off the State into judicial circuits and to prescribe the times and places of holding ccurts, and

An act to apportion representation,

And that he send two copies of the paper or papers containing the same, one to the circuit and one to the county court clerk of each county in this State.

Which was read a first time, the rule suspended, and read a second time.

Mr. Jones offered the following substitute for the ryder:

Strike out all after the word "resolved" and insert the following:

By the General Assembly of the State of Missouri as follows:

That the Secretary of State have published as soon as practicable a sufficient number of the following laws, to supply each of the clerks of the circuit court, and each member of the Senate and of the House of Representatives.

An act establishing judicial circuits and fixing the times of holding circuit courts.

An act to establish justices courts and to regulate proceedings therein.

An act to apportion representation.

An act for the organization of new counties, and the different acts supplementary thereto, and

An act amendatory to an act entitled an act to provide for the selection and sale of the lauds granted to this State by an act of Congress, approved Sept. 4th, 1841, approved Feb. 27th, 1843.

Said acts to be published in pamphlet form, and forwarded to the clerks of the different circuit courts.

Which was read and agreed to, when the rule was suspended, and the ryder as amended, was read a third time.

The question was then taken on the passage of the resolution as amended and was determined in the affirmative.

The House bill entitled,

An act to provide for the erection of a monument over the grave of Daniel Boone,

Was read a first time, and

On motion of Mr. Hudspeth, rejected.

Mr. Campbell, on leave, introduced a bill entitled,

An act to incorporate the St. John's Lodge company.

Which was read a first time, the rule suspended, and read a second time, considered as engrossed, the rule further suspended, and the bill read a third time and passed.

On motion, the Senate adjourned until 2 o'clock.

EVENING SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Massey,

Resolved by the Senate, That the House of Representatives be respectfully requested to return to the Senate the House bill entitled,

An act concerning the General Assembly, the compensation of its members and officers, its proceedings and the mode of filling vacancies.

Message from the House of Representatives by Mr. Gilpin, their clerk:

MR. PRESIDENT:

The House of Representatives has agreed to the amendments of the Senate to the House bill entitled,

An act to authorise the repayment of taxes improperly paid.

The House of Representatives has disagreed to the amendments of the Senate to the House resolution entitled,

Joint resolution for printing the law fixing judicial circuits.

The House of Representatives has passed the Senate bill entitled,

An act to incorporate the St. Johns Lodge company of the city of Hannibal.

The House has adopted the following resolution:

Resolved, That the Senate be requested to return so much of the message of the House, as informs them of the concurrence of the House in the Senate's amendment to the bill entitled,

An act concerning the General Assembly, the compensation of its members and officers, its proceedings and the mode of filling vacancies.

The Speaker has signed the enrolled bills entitled,

An act to establish a court of common pleas in the city of Hannibal.

An act amendatory of an act concerning marriages.

An act to provide for levying, assessing, and collecting the revenue.

An act concerning the northern boundary line.

An act to establish a probate court in Dade county.

Joint resolution for reprinting the marriage act.

Whereupon the president pro tempore of the Senate signed said enrolled bills.

The President pro tempore laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, March 27, 1845. }

To the Hon. the Senate:

Gentlemen, I have this day approved and signed bills of the following titles to wit:

An act concerning crimes and their punishments.

An act to license and regulate agencies of foreign insurance companies.

An act to provide for the sale of lots in the city of Jefferson.

An act supplementary to an act to license and tax merchants.

An act to apportion representation.

An act to authorise the acting sheriff of St. Clair county to report to the county court of said county, the sales of certain school lands made by former sheriff.

An act for the relief of William J. Tutt.

An act declaring a certain county road a State road.

An act to abolish imprisonment for debt.

An act to provide for the settlement of the accounts of Abraham McClellan, late treasurer.

An act to provide for the payment and redemption of certain bonds of this State.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

Mr. Snyder from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act explanatory of an act entitled, an act supplementary to an act concerning slaves, approved, March 19, 1835.

An act supplementary to an act entitled, an act to lay off the State into congressional districts, approved Feb. 21, 1845.

An act to appropriate money to repair the Governor's house, the houses connected therewith, the fencing, &c.

An act to regulate injunctions in certain cases.

An act to regulate fees.

An act for the relief of William L. Douglass.

An act relative to the Heatherly war.

An act to license auctioneers and impose a tax on licenses and sales.

An act to regulate, govern and discipline the militia of the State of Missouri.

On motion of Mr. Massey,

Resolved, That the House be respectfully informed that no such message as the House requests to be returned, has ever been sent to the Senate.

Message from the House of Representatives by Mr. Gilpin their clerk:

Mr. President:

The House of Representatives has agreed to the amendment of the Senate to the House bill entitled,

An act concerning the General Assembly, the compensation of its members and officers, its proceeding and the mode of filling vacancies.

The Speaker has signed the enrolled bills entitled,

An act to regulate fees.

An act relative to the Heatherly war.

An act for the relief of William L. Douglass.

An act regulating injunctions in certain cases.

An act supplementary to an act concerning slaves, approved March 19th, 1845.

An act supplementary to an act to lay off the State into Congressional districts approved Feb. 21, 1845.

An act to appropriate money to repair the Governor's House.

An act to regulate govern and discipline the militia of the State of Missouri.

An act to license auctioneers and to impose a tax on licenses and sales.

Whereupon the President pro tempore of the Senate signed said enrolled bills.

On motion of Mr. O'Bryan, the Senate acceded to the request of the House in returning so much of the message of the House as communicates the concurrence of the House to the Senate's amendment to the House bill entitled,

An act concerning the General Assembly, the compensation of its members and officers, its proceedings and the mode of filling vacancies.

Mr. Snyder from the committee on enrolled bills reported that the committee had this day presented to the Governor for his approval and signature bills entitled,

An act to regulate fees.

An act relative to the Heatherly war.

An act for the relief of William L. Douglass.

An act to regulate injunctions in certain cases.

An act explanatory of an act entitled, an act supplementary to an act concerning slaves, approved March 19, 1845.

An act supplementary to an act entitled, an act to lay off the State into congressional districts, approved Feb. 21, 1845.

An act to appropriate money to repair the Governor's house, the houses connected therewith, fencing, &c.

An act to license auctioneers and impose a tax on licenses and sales.

An act to regulate, govern and discipline the militia of the State of Missouri.

On motion of Mr. Boggs,

The Senate adjourned until 7 o'clock this evening.

NIGHT SESSION.

The Senate met pursuant to adjournment.

On motion of Mr. Campbell,

The Senate insisted on its amendments to the resolution from the House entitled,

Joint resolution for printing the law fixing judicial circuits.

Message from the House of Representatives by Mr. Gilpin their clerk:

Mr. President:

The House of Representatives insists on its disagreement to the amendment of the Senate to the resolution entitled,

Joint resolution for printing the law fixing judicial circuits.

And that Messrs. Williams, Hughes and Griffin have been appointed a committee of conference on the same.

The Speaker has signed the enrolled bills entitled,

An act to incorporate the Home mutual fire and marine insurance company of St. Louis.

An act regulating the fees of the registers and receivers of the State land offices.

On motion of Mr. Kownslar,

Ordered that Messrs. Kownslar, Boggs and Thompson be appointed a committee of conference on the part of the Senate to take into consideration the disagreement of the two Houses relative to the Senate's amendment to the resolution from the House entitled,

Joint resolution for printing the law fixing judicial circuits.

Mr. Jones, on leave, introduced a resolution entitled,

Joint resolution respecting the publication of the laws.

Which was read a first time.

Mr. Jones moved to suspend the rule, and that it be read a second time now.

Which was negatived.

Mr. Hancock moved to lay it on the table, which was negatived.

Message from the House of Representatives by Mr. Gilpin their clerk:

Mr. President:

The House of Representatives has agreed to the report of the committee of conference on the resolution entitled,

Joint resolution for printing the law, fixing judicial circuits.

On motion of Mr. Hudspeth,

A call of the House was ordered.

The roll being called,

The number of Senators answering to their names was—18.

Absent, Messrs. Calhoun, Ellis, Harper, Jones, Massey, Miller, Mills, Polk and Reese.

Absent with leave, Messrs. Blythe, Gentry, Johnson, Lucas and Snell.

On motion, all further proceedings under the call were dispensed with.

Mr. Kownslar, on leave of the Senate from the committee of conference, ap-

pointed to take into consideration the disagreement of the two Houses, relative to a certain resolution entitled,

Joint resolution for printing the law, fixing judicial circuits, reported, that the committee had adopted a resolution as a substitute for the same, which had been reported to the House, and which he was also instructed to report to the senate and ask for its concurrence therein.

The report and resolution substituted by the committee were read and agreed to.

Mr. Massey moved to adjourn till 6 o'clock to-morrow morning,

Which was negatived.

Mr. Shelton moved to adjourn till 7 o'clock to-morrow morning, which was also negatived, when

On motion of Mr. Fort,

The Senate adjourned until 8 o'clock to-morrow morning.

FRIDAY MORNING, *March 28, 1845.*

The Senate met pursuant to adjournment.

Mr. Snyder from the committee on enrolled bills, reported as truly enrolled bills entitled,

An act to incorporate the St. Johns lodge company in the city of Hannibal.

An act to regulate elections.

Message from the House of Representatives, by Mr. Boas a member:

Mr. PRESIDENT:—

The Speaker has signed the enrolled bills entitled,

An act to incorporate the St. Johns lodge of the city of Hannibal.

An act to regulate elections.

An act to authorise the employment of counsel to defend Preston Mullineux.

An act to define the limits of the several counties in this State.

Joint resolution for printing certain laws.

Whereupon the President pro tempore of the Senate signed the enrolled bills aforesaid.

Mr. Snyder from the committee on enrolled bills, reported that the committee had this day presented to the Governor for his approval and signature, bills entitled,

An act to incorporate the St. John's Lodge company of the city of Hannibal.

An act to regulate elections.

The President *pro tempore* laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 27, 1845.

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles:

An act explanatory of an act entitled an act supplementary to an act concerning slaves, approved March 19th, 1845.

- An act to regulate injunctions in certain cases.
- An act for the relief of William L. Douglass.
- An act relative to the Heatherly war.
- An act to regulate fees.
- An act supplementary to an act entitled an act to lay off the State, into Congressional districts, approved Feb. 21, 1845.
- An act to license auctioneers and impose a tax on licenses and sales.
- An act to appropriate money to repair the Governor's house, the houses connected therewith, the fences, &c.
- An act to regulate, govern and discipline the militia of the State of Missouri.
- An act to close the sales of lots in the city of Jefferson.

I am very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

CITY OF JEFFERSON,
March 28, 1845. }

To the Hon. the Senate.

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

- An act to incorporate the St. John's Lodge company in the city of Hannibal.
- An act to regulate elections.

I am very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion of Mr. Detchemendy,

Resolved, That the thanks of the Senate be tendered to the chairman of the committee on accounts, for the faithful, able and punctual discharge of his duties.

Resolved, That the thanks of the Senate be tendered to the committees on engrossed and enrolled bills, for the correct and faithful discharge of their laborious duties.

Mr. Acock, on leave of the Senate introduced,

Joint resolution relating to the penitentiary.

Which was read a first time, the rule suspended, and read a second time.

Mr. Polk moved to pass over the resolution,

Which was negatived.

Mr. Fort moved to amend as follows to come in at the end of the resolution:

* * * * *

Which was read and agreed to, when

The rule was suspended and the resolution was considered as engrossed, and read a third time and passed as amended by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Ellis, Fort, Hancock, Harper, Harris, Jones, Kownslar, Massey, Miller, Netherton, O'Bryan, Powers, Rawlins, Thompson, Welborn and Wolfskill—21.

Nays—Messrs. Detchemendy, Hudspeth, Polk, and Snyder—4.

Absent, Messrs. Mills, Reese and Shelton.

With leave, Messrs. Blythe, Gentry, Johnson, Lucas and Snell.

The resolution entitled,

Joint resolution respecting the publication of the laws,

Was read a second time.

Mr. Jones moved a suspension of the rule, and that the resolution be read a third time now.

Which was negatived, and on motion of Mr. Boggs, the resolution was indefinitely postponed.

The resolution from the House relative to the appointment of a committee to wait upon the Governor, was taken up and concurred in.

Whereupon the President pro tempore announced Messrs. Ellis and Calhoun, as the committee on the part of the Senate.

Mr. Ellis from the joint select committee appointed to wait upon the Governor, to enquire if he had any further communications to make to this General Assembly, reported that the committee had performed that duty, and received for answer that the Governor had no further communications to make to this General Assembly.

On motion of Mr. Anderson,

Ordered that the Secretary inform the House of Representatives that the Senate has gotten through with all the business before it, and is now ready to adjourn *sine die*.

Whereupon, on motion of Mr. Ellis,

The Senate adjourned without day.

EXECUTIVE JOURNAL
OF THE
THIRTEENTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI.

—000—

MONDAY, Feb. 10, 1845.

The Senate having gone into secret session, the President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
City of Jefferson, Feb. 10, 1845.

To the Hon., the Senate of Mo.

Gentlemen—Having entire confidence in the integrity, capacity and patriotism of William Monroe of Morgan county, I do hereby nominate him to fill the office of Auditor of Public Accounts of the State of Missouri, for the next four years, and respectfully ask the advice and consent of the Senate to his appointment.

I have the honor to be,

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion of Mr. Hudspeth,

The Senate advised and consented to the nomination of William Monroe, as Auditor of Public Accounts by the following vote:

Yeas—Messrs. Acock, Anderson, Blythe, Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—28.

Nays—None.

Absent with leave—Messrs. Lucas, Monroe and Snell.
Sick, Messrs. Calhoun and Johnson.

On motion of Mr. Acock,

The injunction of secrecy was removed from the foregoing proceedings.

On motion, the session adjourned.

THURSDAY, Feb. 27, 1845.

On motion of Mr. Shelton,
The Senate went into secret session.

The President laid before the Senate the following communication from the Governor:

CITY OF JEFFERSON, Feb. 26, 1845.

To the Hon. the Senate:

Gentlemen—I do hereby nominate Allen McLane jun., of Platte county to fill the office of Register of Lands for the next four years, and respectfully ask the advice and consent of the Senate to his appointment.

Very respectfully,
Your ob't. s'vt.
JOHN C. EDWARDS.

Mr. Fort moved that the Senate advise and consent to the nomination, when
On motion of Mr. Massey,

The communication was laid on the table.

The President also laid before the Senate the following communication from the Governor:

CITY OF JEFFERSON, Feb. 27, 1845.

To the Hon. the Senate.

Gentlemen—I do hereby nominate John H. Stone, to fill the office of Judge of the ninth judicial circuit, and respectfully ask the advice and consent of the Senate to his appointment.

Very respectfully,
Your ob't. serv't.,
JOHN C. EDWARDS.

On motion of Mr. Miller,

The Senate advised and consented to the nomination of John H. Stone, as Judge of the ninth judicial circuit by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort. Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Lucas, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—30.

Nays—None.

Absent with leave, Messrs. Blythe and Mills.

On motion of Mr. Boggs,

The injunction of secrecy was removed from the nomination of John H. Stone.

Mr. Polk moved to take up the nomination of Allen McLane,

Which the President decided to be out of order.

On motion the session adjourned.

THURSDAY EVENING, Feb. 27, 1845.

On motion of Mr. Polk, the Senate went into secret session.

On motion of Mr. Hancock,

The nomination of Allen McLane, jun., for the office of Register of Lands,
Was taken up.

Mr. Fort withdrew his motion to advise and consent to said nomination.

Mr. Welborn renewed the motion.

When the question on advising and consenting to said nomination was determined in the negative by the following vote:

Ayes—Messrs. Hancock, Hudspeth, Johnson, Jones, Rawlins and Welborn—6.

Nays—Messrs. Acock, Anderson, Boggs, Campbell, Detchemendy, Ellis, Fort, Gentry, Harper, Harris, Lucas, Massey, Miller, Netherton, O'Bryan, Polk, Powers, Reese, Shelton, Snell, Snyder, Thompson and Wolfskill—23.

Absent, Mr. Calhoun.

Absent with leave, Messrs. Blythe and Mills.

On motion of Mr. Detchemendy,

The injunction of secresy was removed from the above proceedings.

On motion, the secret session adjourned.

SATURDAY, March 1st, 1845.

On motion, the Senate went into secret session.

Mr. Reese submitted the following:

Resolved by the Senate, That the Governor of the State of Missouri, be requested to return the communication informing him of the rejection of the nomination of Allen McLane, for Register of Lands of this State.

Which was read, and,

On motion of Mr. Acock,

Laid on the table until the 4th day of July next.

On motion, the secret session adjourned.

SATURDAY, March 1st, 1845.

On motion the Senate went into secret session.

The President laid before the Senate the following communication from the Governor.

JEFFERSON, Feb. 28th, 1845.

To the Hon. the Senate:

Gentlemen:—I do hereby nominate Henderson Young to fill the office of Judge of the twelfth Judicial Circuit, and respectfully ask the advice and consent of the Senate to his appointment.

Very respectfully your

Ob'd't. serv't.,

JOHN C. EDWARDS.

On motion of Mr. Reese,

The Senate advised and consented to the appointment of Henderson Young, to fill the office of Judge of the twelfth judicial circuit, by the following vote:

Yeas—Messrs. Acock, Boggs, Calhoun, Fort, Gentry, Hancock, Harper, Har-

ris, Hudspeth, Johnson, Jones, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—26.

Nays—None.

Absent, Messrs. Campbell, Detchemendy, Ellis and Lucas.
With leave, Messrs. Anderson and Blythe.

On motion of Mr. Fort,

The injunction of secresy was removed from the foregoing proceedings.

On motion of Mr. Hudspeth,

The injunction of secresy was removed from the proceedings of this morning.

On motion, the session adjourned.

MONDAY, March 17, 1845.

On motion of Mr. Fort,

The Senate went into secret session.

On motion of Mr. Snyder,

A call of the House was ordered.

The roll being called, the number of Senators answering to their names was —22.

Absent, Messrs. Detchemendy, Ellis, Kownslar, Mills Netherton and Thompson.

Absent with leave, Messrs. Anderson, Harper and Lucas.

Sick, Mr. Blythe.

The sergeant at arms was despatched to notify the absentees.

The absent Senators having appeared,

On motion, all further proceedings under the call were dispensed with.

Mr. Fort submitted the following:

Resolved by the Senate, That the door be opened and that the consideration of nominations to office be public and without the injunction of secresy.

Which was, on motion of Mr. Boggs, laid on the table by the following vote:

Yeas—Messrs. Acock, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Kownslar, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Rawlins, Snell, Snyder, Welborn and Wolfskill—25.

Nays—Messrs. Fort, Powers, Reese, and Shelton—4.

Excused from voting, Mr. Thompson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Mr. Blythe.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
City of Jefferson, March 19, 1845.

To the Hon. the Senate:

Gentlemen:—I have been requested by some of the Senators who refused to advise and consent to the appointment of Allen Mc-

Lane, jr., of Platte county, to the office of Register of Lands, to renominate him for said office. In pursuance of this request, and in order to present an opportunity of doing justice to all parties, I do hereby renominate Allen McLane of Platte county, to fill the office of Register of Lands, and do again respectfully ask the advice and consent of the Senate to his appointment to said office.

I have the honor to be,

Very respectfully,

Your o'b'd't. serv't.,

JOHN C. EDWARDS.

Mr. Fort moved that the Senate advise and consent to the nomination of Allen McLane to fill the office of Register of Lands.

Which was determined in the negative by the following vote:

Yeas—Messrs. Boggs, Fort, Hancock, Hudspeth, Johnson, Jones, Kownslar, Miller, Netherton, Powers, Reese, Shelton and Welborn—13.

Nays—Messrs. Acock, Campbell, Calhoun, Detchemendy, Ellis, Gentry, Harper, Harris, Massey, Mills, O'Bryan, Polk, Rawlins, Snell, Snyder and Wolfskill—16.

Excused from voting, Mr. Thompson.

Absent with leave, Messrs. Anderson and Lucas.

Sick, Mr. Blythe.

On motion of Mr. Miller,

The injunction of secrecy was removed from the foregoing proceedings.

On motion, the session adjourned.

TUESDAY, March 18, 1845.

On motion, the Senate went into secret session.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
City of Jefferson, March 18, 1845. }

To the Hon. the Senate.

Gentlemen—I do hereby nominate Falkland H. Martin, of the county of Jefferson to fill the office of Secretary of State for the next four years, and do respectfully ask the advice and consent of the Senate to his appointment to said office.

I have the honor to be,

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion of Mr. Polk,

The Senate advised and consented to the appointment of Falkland H. Martin, to the office of Secretary of State by the following vote:

Yeas—Messrs. Acock, Campbell, Calhoun, Detchemendy, Ellis, Hancock, Harper, Harris, Hudspeth, Jones, Kownslar, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Thompson Welborn and Wolfskill—26.

Nays—Mr. Gentry.

Excused from voting—Mr. Boggs.

Absent with leave, Messrs. Anderson and Lucas.

Absent—Messrs. Fort and Johnson.

On motion of Mr. Rawlins,

The injunction of secrecy was removed from the foregoing proceedings.

On motion, the session adjourned.

THURSDAY, March 20, 1845.

On motion of Mr. Rawlins,

The Senate went into secret session.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, March 20, 1845. }

To the Hon. the Senate:

Gentlemen, I do hereby nominate Priestly H. McBride to fill the office of Judge of the Supreme court in the place of the honorable George Tompkins, whose term of service has expired, and do respectfully ask the advice and consent of the Senate to his appointment to said office.

I have the honor to be,

Very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

On motion of Mr. Rawlins,

The Senate advised and consented to the appointment of Priestly H. McBride as Judge of the Supreme court by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Kownslar, Massey, Miller, Mills, Netherton, O'Bryan, Powers, Rawlins, Shelton, Snell, Snyder, Thompson, Welborn and Wolfskill—28.

Nays—Mr. Polk—1.

Absent, Messrs. Johnson and Reese.

With leave, Mr. Lucas.

Sick, Mr. Blythe.

On motion of Mr. Shelton,

The injunction of secrecy was removed from the foregoing proceedings, and

On motion, the session adjourned.

FRIDAY, March 21st, 1845.

The Senate went into secret session.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON,
March 21, 1845. }

To the Hon. the Senate:

Gentlemen—I do hereby nominate B. F. Stringfel

low, of Chariton county, to be Attorney General for the next four years, and do respectfully ask the advice and consent of the Senate to his appointment to said office.

I have the honor to be,

Very respectfully,

Your ob't. serv't.,

JOHN C. EDWARDS.

On motion of Mr. Acock,

The Senate advised and consented to said appointment by the following vote:

Ayes—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Johnson, Jones, Kownslar, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—30.

Noes—None.

Absent with leave, Mr. Lucas.

Sick, Messrs. Blythe and Thompson.

On motion of Mr. Welborn,

The injunction of secresy was removed from the foregoing proceedings, and

On motion, the session adjourned.

MONDAY, *March* 24, 1845.

On motion, the Senate went into secret session.

The President laid before the Senate the following communication from the Governor.

CITY OF JEFFERSON, }
March 24, 1845. }

To the Hon. the Senate.

Gentlemen—I do hereby nominate Montgomery Blair, of the county of St. Louis, to fill the office of Judge of the St. Louis court of common pleas, and John M. Krum, of the county of St. Louis, to be judge of the eighth judicial circuit in this State, and do respectfully ask the advice and consent of the Senate to the appointment of each to the office for which he is nominated.

I have the honor to be,

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion of Mr. Anderson,

The Senate advised and consented to the appointment of John M. Krum, of St. Louis county, to be Judge of the eighth Judicial Circuit by the following vote:

Ayes—Messrs. Acock, Anderson, Boggs, Campbell, Calhoun, Detchemendy, Ellis, Fort, Gentry, Hancock, Harper, Harris, Hudspeth, Jones, Kownslar, Massey, Miller, Mills, Netherton, O'Bryan, Polk, Powers, Rawlins, Reese, Shelton, Snell, Snyder, Welborn and Wolfskill—29.

Noes—None.

Absent, with leave, Messrs. Blythe, Johnson and Lucas.
Sick, Mr. Thompson.

On motion of Mr. Rawlins,

The Senate advised and consented to the appointment of Montgomery Blair to the office of Judge of the St. Louis court of common pleas by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Ellis, Fort, Hancock, Harper, Hudspeth, Jones, Kownslar, Massey, Miller, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Welborn and Wolfskill—22.

Nays—Messrs. Campbell, Calhoun, Gentry, Harris, Mills, O'Bryan and Snell—7.

Absent with leave, Messrs. Blythe, Johnson and Lucas.
Sick, Mr. Thompson.

On motion of Mr. Rawlins,

The injunction of secresy was removed from the foregoing proceedings.
On motion the session adjourned.

WEDNESDAY, March 26, 1845.

On motion the Senate went into executive session.

The President pro tempore laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
City of Jefferson, March 26, 1845. }

To the Hon. the Senate.

Gentlemen, I do hereby nominate George W. Houston, to be Register of Lands for the next four years, and respectfully ask the advice and consent of the Senate to his appointment to said office.

I have the honor to be,

Very respectfully,

Your ob't. serv't.

JOHN C. EDWARDS.

On motion of Mr. Shelton,

The Senate advised and consented to said appointment by the following vote:

Yeas—Messrs. Acock, Anderson, Boggs, Detchemendy, Hancock, Harper, Harris, Hudspeth, Jones, Kownslar, Massey, Miller, Mills, Netherton, Polk, Powers, Rawlins, Reese, Shelton, Snyder, Thompson, Welborn and Wolfskill—22.

Nays—Messrs. Campbell and O'Bryan—2.

Absent, Messrs. Calhoun, Ellis and Fort.

Absent with leave, Messrs. Blythe, Gentry, Johnson, Lucas and Snell.

On motion by Mr. Detchemedy,

The injunction of secresy was removed from the foregoing proceedings.
On motion the session adjourned.

Attest, WM. C. JONES, Secretary of the Senate.